

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**RC PETITION**

DO NOT WRITE IN THIS SPACE

Case No.

20-RC-278562

Date Filed

6/15/2021

**INSTRUCTIONS:** Unless e-Filed using the Agency's website, [www.nlr.gov/](http://www.nlr.gov/), submit an original of this Petition to an NLRB office in the Region in which the employer concerned is located. The petition must be accompanied by both a showing of interest (see 6b below) and a certificate of service showing service on the employer and all other parties named in the petition of: (1) the petition; (2) Statement of Position form (Form NLRB-505); and (3) Description of Representation Case Procedures (Form NLRB 4812). The showing of interest should only be filed with the NLRB and should not be served on the employer or any other party.

**1. PURPOSE OF THIS PETITION: RC-CERTIFICATION OF REPRESENTATIVE** - A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner and Petitioner desires to be certified as representative of the employees. The Petitioner alleges that the following circumstances exist and requests that the National Labor Relations Board proceed under its proper authority pursuant to Section 9 of the National Labor Relations Act.

<b>2a. Name of Employer:</b> Mapbox		<b>2b. Address(es) of Establishment(s) involved (Street and number, City, State, ZIP code):</b> 50 Beale Street, Floor 9, San Francisco, CA 94105	
<b>3a. Employer Representative - Name and Title:</b> Melissa Nixon – VP, People		<b>3b. Address (if same as 2b - state same):</b> Same	
<b>3c. Tel. No.</b> (206) 351-8326	<b>3d. Cell No.</b>	<b>3e. Fax No.</b> (302) 347-5281	<b>3f. E-Mail Address</b> <a href="mailto:Melissa.nixon@mapbox.com">Melissa.nixon@mapbox.com</a>
<b>4a. Type of Establishment (Factory, mine, wholesaler, etc.)</b> Computer Applications		<b>4b. Principal Product or Service</b> Computer applications	<b>5a. City and State where unit is located:</b> San Francisco, CA
<b>5b. Description of Unit Involved:</b> <b>Included:</b> All employees, including community team and spaces team <b>Excluded:</b> Legal Dept., People Dept., Finance Dept., office clerical employees, supervisors, guards and all independent contractors.			<b>6a. Number of Employees in Unit:</b> 220
<b>Check One:</b> <input checked="" type="checkbox"/> 7a. Request for recognition as Bargaining Representative was made on (Date) <u>By this petition</u> and Employer declined recognition on or about (Date) (If no reply received, so state). <input type="checkbox"/> 7b. Petitioner is currently recognized as Bargaining Representative and desires certification under the Act.			<b>6b. Do a substantial number (30% or more) of the employees in the unit wish to be represented by the Petitioner?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>8a. Name of Recognized or Certified Bargaining Agent (If none, so state)</b> None		<b>8b. Address:</b>	
<b>8c. Tel. No.</b>	<b>8d. Cell No.</b>	<b>8e. Fax No.</b>	<b>8f. E-Mail Address</b>
<b>8g. Affiliation, if any:</b>		<b>8h. Date of Recognition or Certification</b>	<b>8i. Expiration Date of Current or Most Recent Contract, if any (Month, Day, Year)</b>
<b>9. Is there now a strike or picketing at the Employer(s) establishment(s) involved?</b> <b>NO</b> If so, approximately how many employees are participating? (Name of Labor Organization) , has picketed the Employer since (Month, Day, Year)			
<b>10. Organizations or individuals other than Petitioner and those named in items 8 and 9, which have claimed recognition as representatives and other organizations and individuals known to have a representative interest in any employees in the unit described in item 5b above. (If none, so state)</b> None			
<b>10a. Name</b>	<b>10b. Address</b>	<b>10c. Tel. No.</b>	<b>10d. Cell No.</b>
		<b>10e. Fax No.</b>	<b>10f. E-Mail Address</b>
<b>11. Election Details:</b> If the NLRB conducts and election in this matter, state your position with respect to any such election:			<b>11a. Election Type:</b> <input type="checkbox"/> Manual <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Mixed Manual/Mail
<b>11b. Election Date(s):</b> Ballots to be mailed 2 weeks after petition is filed		<b>11c. Election Time(s):</b> n/a mail ballot	<b>11d. Election Location(s):</b> n/a mail ballot
<b>12a. Full Name of Petitioner (including local name and number):</b> Communications Workers of America AFL-CIO		<b>12b. Address (street and number, city, State and ZIP code):</b> 2804 Gateway Oaks Drive, Suite 150 Sacramento, CA 95833	
<b>12c. Full name of national or international labor organization of which Petitioner is an affiliate or constituent (if none, so state):</b> Communications Workers of American AFL-CIO			
<b>12d. Tel. No.</b>	<b>12e. Cell No.</b> (617) 620-2831	<b>12f. Fax No.</b>	<b>12g. E-Mail Address</b> <a href="mailto:wmcenany@cwa-union.org">wmcenany@cwa-union.org</a>
<b>13. Representative of the Petitioner who will accept service of all papers for purposes of the representation proceeding.</b>			
<b>13a. Name and Title:</b> David A. Rosenfeld, Attorney		<b>13b. Address (street and number, city, State and ZIP code):</b> Weinberg, Roger & Rosenfeld 1375 55 <sup>th</sup> Street Emeryville, CA 94608-2609	
<b>13c. Tel. No.</b> 510-337-1001	<b>13d. Cell No.</b>	<b>13e. Fax No.</b> 510-337-1023	<b>13f. E-Mail Address</b> <a href="mailto:nlrbnotices@unioncounsel.net">nlrbnotices@unioncounsel.net</a>
I declare that I have read the above petition and that the statements are true to the best of my knowledge and belief.			
<b>Name (Print)</b> David A. Rosenfeld	<b>Signature</b> <i>David A. Rosenfeld</i>	<b>Title</b> Attorney	<b>Date</b> 6/15/2021

WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT 1\1179205

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942.43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156



Download  
NLRB  
Mobile App

June 15, 2021

**URGENT**

*melissa.nixon@mapbox.com*  
Melissa Nixon, VP, People  
Mapbox  
50 Beale Street  
Floor 9  
San Francisco, CA 94105

Re: Mapbox  
Case 20-RC-278562

Dear Ms. Nixon:

Enclosed is a copy of a petition that Communications Workers of America, AFL-CIO filed with the National Labor Relations Board (NLRB) seeking to represent certain of your employees. After a petition is filed, the employer is required to promptly take certain actions so please read this letter carefully to make sure you are aware of the employer's obligations. This letter tells you how to contact the Board agent who will be handling this matter, about the requirement to post and distribute the Notice of Petition for Election, the requirement to complete and serve a Statement of Position Form, the Petitioner's requirement to complete and serve a Responsive Statement of Position Form, a scheduled hearing in this matter, other information needed including a voter list, your right to be represented, and NLRB procedures, including how to submit documents to the NLRB.

**Investigator:** This petition will be investigated by Field Examiner SAMUEL J. HOFFMANN whose telephone number is (628)221-8855. The Board agent will contact you shortly to discuss processing the petition. If you have any questions, please do not hesitate to call the Board agent. If the agent is not available, you may contact Supervisory Field Examiner OLIVIA VARGAS whose telephone number is (628)221-8876. The Board agent may also contact you and the other party or parties to schedule a conference meeting or telephonic or video conference for some time before the close of business the day following receipt of the final Responsive Statement(s) of Position. This will give the parties sufficient time to determine if any issues can be resolved prior to hearing or if a hearing is necessary. If appropriate, the NLRB attempts to schedule an election either by agreement of the parties or by holding a hearing and then directing an election.

**Required Posting and Distribution of Notice:** You must post the enclosed Notice of Petition for Election by **June 22, 2021** in conspicuous places, including all places where notices to employees are customarily posted. The Notice of Petition for Election must be posted so all

pages are simultaneously visible. If you customarily communicate electronically with employees in the petitioned-for unit, you must also distribute the notice electronically to them. You must maintain the posting until the petition is dismissed or withdrawn or this notice is replaced by the Notice of Election. Posting and distribution of the Notice of Petition for Election will inform the employees whose representation is at issue and the employer of their rights and obligations under the National Labor Relations Act in the representation context. Failure to post or distribute the notice may be grounds for setting aside an election if proper and timely objections are filed.

**Required Statement of Position:** In accordance with Section 102.63(b) of the Board's Rules, the employer is required to complete the enclosed Statement of Position form (including the attached Commerce Questionnaire), have it signed by an authorized representative, and file a completed copy (with all required attachments) with this office and serve it on all parties named in the petition such that it is received by them by **noon Pacific Time on June 25, 2021**. This form solicits information that will facilitate entry into election agreements or streamline the pre-election hearing if the parties are unable to enter into an election agreement. **This form must be e-Filed, but unlike other e-Filed documents, will *not* be timely if filed on the due date but after noon Pacific Time.** If you have questions about this form or would like assistance in filling out this form, please contact the Board agent named above.

*List(s) of Employees:* The employer's Statement of Position must include a list of the full names, work locations, shifts, and job classifications of all individuals in the proposed unit as of the payroll period preceding the filing of the petition who remain employed at the time of filing. If the employer contends that the proposed unit is inappropriate, the employer must separately list the full names, work locations, shifts and job classifications of all individuals that it contends must be added to the proposed unit to make it an appropriate unit. The employer must also indicate those individuals, if any, whom it believes must be excluded from the proposed unit to make it an appropriate unit. These lists must be alphabetized (overall or by department). Unless the employer certifies that it does not possess the capacity to produce the lists in the required form, the lists must be in a table in a Microsoft Word file (.doc or .docx) or a file that is compatible with Microsoft Word, the first column of the table must begin with each employee's last name, and the font size of the list must be the equivalent of Times New Roman 10 or larger. That font does not need to be used but the font must be that size or larger. A sample, optional form for the list is provided on the NLRB website at [www.nlr.gov/sites/default/files/attachments/basic-page/node-4559/Optional Forms for Voter List.docx](http://www.nlr.gov/sites/default/files/attachments/basic-page/node-4559/Optional%20Forms%20for%20Voter%20List.docx)

*Failure to Supply Information:* Failure to supply the information requested by this form may preclude you from litigating issues under Section 102.66(d) of the Board's Rules and Regulations. Section 102.66(d) provides as follows:

A party shall be precluded from raising any issue, presenting any evidence relating to any issue, cross-examining any witness concerning any issue, and presenting argument concerning any issue that the party failed to raise in its timely Statement of Position or to place in dispute in response to another party's Statement of Position or response, except that no party shall be precluded from

contesting or presenting evidence relevant to the Board's statutory jurisdiction to process the petition. Nor shall any party be precluded, on the grounds that a voter's eligibility or inclusion was not contested at the pre-election hearing, from challenging the eligibility of any voter during the election. If a party contends that the proposed unit is not appropriate in its Statement of Position but fails to specify the classifications, locations, or other employee groupings that must be added to or excluded from the proposed unit to make it an appropriate unit, the party shall also be precluded from raising any issue as to the appropriateness of the unit, presenting any evidence relating to the appropriateness of the unit, cross-examining any witness concerning the appropriateness of the unit, and presenting argument concerning the appropriateness of the unit. If the employer fails to timely furnish the lists of employees described in §§ 102.63(b)(1)(iii), (b)(2)(iii), or (b)(3)(iii), the employer shall be precluded from contesting the appropriateness of the proposed unit at any time and from contesting the eligibility or inclusion of any individuals at the pre-election hearing, including by presenting evidence or argument, or by cross-examination of witnesses.

**Responsive Statement of Position:** In accordance with Section 102.63(b) of the Board's Rules, following timely filing and service of an employer's Statement of Position, the petitioner is required to complete the enclosed Responsive Statement of Position form, have it signed by an authorized representative, and file a completed copy with any necessary attachments, with this office and serve it on all parties named in the petition responding to the issues raised in the employer's Statement of Position, such that it is received no later than **noon Pacific Time on June 30, 2021**.

**Notice of Hearing:** Enclosed is a Notice of Representation Hearing to be conducted at **10:00 AM on July 6, 2021 at the National Labor Relations Board office, the Natalie P. Allen Memorial Courtroom, 901 Market St., Suite 400, San Francisco, CA 94103**, if the parties do not voluntarily agree to an election. If a hearing is necessary, the hearing will run on consecutive days until concluded unless the regional director concludes that extraordinary circumstances warrant otherwise. Before the hearing begins, the NLRB will continue to explore potential areas of agreement with the parties in order to reach an election agreement and to eliminate or limit the costs associated with formal hearings. **Please note that the hearing date and method of hearing (in person or tele/videoconference) are subject to change as more information becomes available regarding COVID-19. Our offices are currently closed, and if we do not reopen by July 6, the hearing will likely be conducted telephonically or by videoconference.**

Upon request of a party showing good cause, the regional director may postpone the hearing. A party desiring a postponement should make the request to the regional director in writing, set forth in detail the grounds for the request, and include the positions of the other parties regarding the postponement. E-Filing the request is required. A copy of the request must be served simultaneously on all the other parties, and that fact must be noted in the request.

**Other Information Needed Now:** Please submit to this office, as soon as possible, the following information needed to handle this matter:

- (a) A copy of any existing or recently expired collective-bargaining agreements, and any amendments or extensions, or any recognition agreements covering any of your employees in the unit involved in the petition (the petitioned-for unit);
- (b) The name and contact information for any other labor organization (union) claiming to represent any of the employees in the petitioned-for unit;
- (c) If potential voters will need notices or ballots translated into a language other than English, the names of those languages and dialects, if any.
- (d) If you desire a formal check of the showing of interest, you must provide an alphabetized payroll list of employees in the petitioned-for unit, with their job classifications, for the payroll period immediately before the date of this petition. Such a payroll list should be submitted as early as possible prior to the hearing. Ordinarily a formal check of the showing of interest is not performed using the employee list submitted as part of the Statement of Position.

**Voter List:** If an election is held in this matter, the employer must transmit to this office and to the other parties to the election, an alphabetized list of the full names, work locations, shifts, job classifications, and contact information (including home addresses, available personal email addresses, and available home and personal cellular telephone numbers) of eligible voters. Usually, the list must be furnished within 2 business days of the issuance of the Decision and Direction of Election or approval of an election agreement. I am advising you of this requirement now, so that you will have ample time to prepare this list. The list must be electronically filed with the Region and served electronically on the other parties. To guard against potential abuse, this list may not be used for purposes other than the representation proceeding, NLRB proceedings arising from it or other related matters.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or at the Regional office upon your request.

If someone contacts you about representing you in this case, please be assured that no organization or person seeking your business has any “inside knowledge” or favored relationship with the NLRB. Their knowledge regarding this matter was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Procedures:** Pursuant to Section 102.5 of the Board’s Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency’s web site ([www.nlr.gov](http://www.nlr.gov)). You must e-file all documents electronically or provide a

written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determinations solely based on the documents and evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the petition.

Information about the NLRB and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request. We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jill H. Coffman". The signature is fluid and cursive, with the first name "Jill" and last name "Coffman" clearly distinguishable.

JILL H. COFFMAN  
Regional Director

Enclosures

1. Petition
2. Notice of Petition for Election (Form 5492)
3. Notice of Representation Hearing
4. Description of Procedures in Certification and Decertification Cases (Form 4812)
5. Statement of Position form and Commerce Questionnaire (Form 505)
6. Responsive Statement of Position (Form 506)



## National Labor Relations Board



# NOTICE OF PETITION FOR ELECTION

This notice is to inform employees that Communications Workers of America, AFL-CIO has filed a petition with the National Labor Relations Board (NLRB), a Federal agency, in Case 20-RC-278562 seeking an election to become certified as the representative of the employees of Mapbox in the unit set forth below:

**Included:** All employees, including community team and spaces team.

**Excluding:** Legal Dept., People Dept., Finance Dept., office clerical employees, supervisors, guards and all independent contractors.

This notice also provides you with information about your basic rights under the National Labor Relations Act, the processing of the petition, and rules to keep NLRB elections fair and honest.

## YOU HAVE THE RIGHT under Federal Law

- To self-organization
- To form, join, or assist labor organizations
- To bargain collectively through representatives of your own choosing
- To act together for the purposes of collective bargaining or other mutual aid or protection
- To refuse to do any or all of these things unless the union and employer, in a state where such agreements are permitted, enter into a lawful union-security agreement requiring employees to pay periodic dues and initiation fees. Nonmembers who inform the union that they object to the use of their payments for nonrepresentational purposes may be required to pay only their share of the union's costs of representational activities (such as collective bargaining, contract administration, and grievance adjustments).

## PROCESSING THIS PETITION

Elections do not necessarily occur in all cases after a petition is filed. **NO FINAL DECISIONS HAVE BEEN MADE YET** regarding the appropriateness of the proposed unit or whether an election will be held in this matter. If appropriate, the NLRB will first see if the parties will enter into an election agreement that specifies the method, date, time, and location of an election and the unit of employees eligible to vote. If the parties do not enter into an election agreement, usually a hearing is held to receive evidence on the appropriateness of the unit and other issues in dispute. After a hearing, an election may be directed by the NLRB, if appropriate.

**IF AN ELECTION IS HELD**, it will be conducted by the NLRB by secret ballot and Notices of Election will be posted before the election giving complete details for voting.

# ELECTION RULES

The NLRB applies rules that are intended to keep its elections fair and honest and that result in a free choice. If agents of any party act in such a way as to interfere with your right to a free election, the election can be set aside by the NLRB. Where appropriate the NLRB provides other remedies, such as reinstatement for employees fired for exercising their rights, including backpay from the party responsible for their discharge.

The following are examples of conduct that interfere with employees' rights and may result in setting aside the election:

- Threatening loss of jobs or benefits by an employer or a union
- Promising or granting promotions, pay raises, or other benefits, to influence an employee's vote by a party capable of carrying out such promises
- An employer firing employees to discourage or encourage union activity or a union causing them to be fired to encourage union activity
- Making campaign speeches to assembled groups of employees on company time, where attendance is mandatory, within the 24-hour period before the polls for the election first open or, if the election is conducted by mail, from the time and date the ballots are scheduled to be sent out by the Region until the time and date set for their return
- Incitement by either an employer or a union of racial or religious prejudice by inflammatory appeals
- Threatening physical force or violence to employees by a union or an employer to influence their votes

Please be assured that IF AN ELECTION IS HELD, every effort will be made to protect your right to a free choice under the law. Improper conduct will not be permitted. All parties are expected to cooperate fully with the NLRB in maintaining basic principles of a fair election as required by law. The NLRB as an agency of the United States Government does not endorse any choice in the election.

For additional information about the processing of petitions, go to [www.nlr.gov](http://www.nlr.gov) or contact the NLRB at (415)356-5130.

THIS IS AN OFFICIAL GOVERNMENT NOTICE AND MUST NOT BE DEFACED BY ANYONE. IT MUST REMAIN POSTED WITH ALL PAGES SIMULTANEOUSLY VISIBLE UNTIL REPLACED BY THE NOTICE OF ELECTION OR THE PETITION IS DISMISSED OR WITHDRAWN.



## National Labor Relations Board







**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 20**



<b>Mapbox</b>  <b>Employer</b>  <b>and</b>  <b>Communications Workers of America, AFL-CIO</b>  <b>Petitioner</b>	<b>Case 20-RC-278562</b>
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**NOTICE OF REPRESENTATION HEARING**

The Petitioner filed the attached petition pursuant to Section 9(c) of the National Labor Relations Act. It appears that a question affecting commerce exists as to whether the employees in the unit described in the petition wish to be represented by a collective-bargaining representative as defined in Section 9(a) of the Act.

YOU ARE HEREBY NOTIFIED that, pursuant to Sections 3(b) and 9(c) of the Act, at 10:00 AM on **July 6, 2021**, and on consecutive days thereafter until concluded, at the National Labor Relations Board offices located at Natalie P. Allen Memorial Courtroom, 901 Market Street, Suite 400, San Francisco, CA 94103, a hearing will be conducted before a hearing officer of the National Labor Relations Board. At the hearing, the parties will have the right to appear in person or otherwise, and give testimony. **Please note that the hearing date and method of hearing (in person or tele/videoconference) are subject to change as more information becomes available regarding COVID-19. Our offices are currently closed, and if we do not reopen by July 6, the hearing will likely be conducted telephonically or by videoconference.**

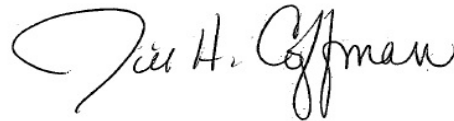
YOU ARE FURTHER NOTIFIED that, pursuant to Section 102.63(b) of the Board's Rules and Regulations, Mapbox must complete the Statement of Position and file it and all attachments with the Regional Director and serve it on the parties listed on the petition such that is received by them by no later than **noon** Pacific time on **June 25, 2021**. Following timely filing and service of a Statement of Position by Mapbox, the Petitioner must complete its Responsive Statement of Position(s) responding to the issues raised in the Employer's and/or Union's Statement of Position and file them and all attachments with the Regional Director and serve them on the parties named in the petition such that they are received by them no later than **noon** Pacific on **June 30, 2021**.

Pursuant to Section 102.5 of the Board's Rules and Regulations, all documents filed in cases before the Agency must be filed by electronically submitting (E-Filing) through the Agency's website ([www.nlrb.gov](http://www.nlrb.gov)), unless the party filing the document does not have access to the means for filing electronically or filing electronically would impose an undue burden.

Documents filed by means other than E-Filing must be accompanied by a statement explaining why the filing party does not have access to the means for filing electronically or filing electronically would impose an undue burden. Detailed instructions for using the NLRB's E-Filing system can be found in the [E-Filing System User Guide](#)

The Statement of Position and Responsive Statement of Position must be E-Filed but, unlike other E-Filed documents, must be filed by **noon** Pacific on the due date in order to be timely. If an election agreement is signed by all parties and returned to the Regional Office before the due date of the Statement of Position, the Statement of Position and Responsive Statement of Position are not required to be filed. If an election agreement is signed by all parties and returned to the Regional office after the due date of the Statement of Position but before the due date of the Responsive Statement of Position, the Responsive Statement of Position is not required to be filed.

Dated: June 15, 2021



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JILL H. COFFMAN  
REGIONAL DIRECTOR  
NATIONAL LABOR RELATIONS BOARD  
REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**DESCRIPTION OF REPRESENTATION CASE PROCEDURES  
IN CERTIFICATION AND DECERTIFICATION CASES**

The National Labor Relations Act grants employees the right to bargain collectively through representatives of their own choosing and to refrain from such activity. A party may file an RC, RD or RM petition with the National Labor Relations Board (NLRB) to conduct a secret ballot election to determine whether a representative will represent, or continue to represent, a unit of employees. An **RC** petition is generally filed by a union that desires to be certified as the bargaining representative. An **RD** petition is filed by employees who seek to remove the currently recognized union as the bargaining representative. An **RM** petition is filed by an employer who seeks an election because one or more individuals or unions have sought recognition as the bargaining representative, or based on a reasonable belief supported by objective considerations that the currently recognized union has lost its majority status. This form generally describes representation case procedures in RC, RD and RM cases, also referred to as certification and decertification cases.

**Right to be Represented** – Any party to a case with the NLRB has the right to be represented by an attorney or other representative in any proceeding before the NLRB. A party wishing to have a representative appear on its behalf should have the representative complete a Notice of Appearance (Form NLRB-4701), and E-File it at [www.nlr.gov](http://www.nlr.gov) or forward it to the NLRB Regional Office handling the petition as soon as possible.

**Filing and Service of Petition** – A party filing an RC, RD or RM petition is required to serve a copy of its petition on the parties named in the petition along with this form and the Statement of Position form. The petitioner files the petition with the NLRB, together with (1) a certificate showing service of these documents on the other parties named in the petition, and (2) a showing of interest to support the petition. The showing of interest is not served on the other parties.

**Notice of Hearing** – After a petition in a certification or decertification case is filed with the NLRB, the NLRB reviews the petition, certificate of service, and the required showing of interest for sufficiency, assigns the petition a case number, and promptly sends letters to the parties notifying them of the Board agent who will be handling the case. In most cases, the letters include a Notice of Representation Hearing. Except in cases presenting unusually complex issues, this pre-election hearing is set for a date 14 business days (excluding weekends and federal holidays) from the date of service of the notice of hearing. Once the hearing begins, it will continue day to day until completed absent extraordinary circumstances. The Notice of Representation Hearing also sets the due date for filing and serving the Statement(s) of Position and the Responsive Statement of Position(s). Included with the Notice of Representation Hearing are the following: (1) copy of the petition, (2) this form, (3) Statement of Position for non-petitioning parties, (4) petitioner's Responsive Statement of Position, (5) Notice of Petition for Election, and (6) letter advising how to contact the Board agent who will be handling the case and discussing those documents.

**Hearing Postponement:** Requests to postpone the hearing are not routinely granted, but the regional director may postpone the hearing for good cause. A party wishing to request a postponement should make the request in writing and set forth in detail the grounds for the request. The request should include the positions of the other parties regarding the postponement. The request must be filed electronically ("E-Filed") on the Agency's website ([www.nlr.gov](http://www.nlr.gov)) by following the instructions on the website. A copy of the request must be served simultaneously on all the other parties, and that fact must be noted in the request.

**Statement of Position Form and List(s) of Employees** – The Statement of Position form solicits commerce and other information that will facilitate entry into election agreements or streamline the pre-election hearing if the parties are unable to enter into an election agreement. In an **RC** or **RD** case, as part of its Statement of Position form, the employer also provides a list of the full names, work locations, shifts, and job classifications of all individuals in the proposed unit. If the employer contends that the proposed unit is not appropriate, the employer must separately list the same information for all individuals that the employer contends must be added to the proposed unit to make it an appropriate unit, and must further indicate those individuals, if any, whom it believes must be excluded from the proposed unit to make it an appropriate unit. These lists must be alphabetized (overall or by department). Unless the employer certifies that it does not possess the capacity to produce the lists in the required form, the lists must be in a table in a Microsoft Word file (.doc or .docx) or a file that is compatible with Microsoft Word, the first column of the table must begin with each employee's last name, and the font size of the list must be the equivalent of Times New Roman 10 or larger. That font does not need to be used but the font must be that size or larger. A sample, optional

form for the list is provided on the NLRB website at [www.nlr.gov/sites/default/files/attachments/basic-page/node-4559/Optional Forms for Voter List.docx](http://www.nlr.gov/sites/default/files/attachments/basic-page/node-4559/Optional Forms for Voter List.docx)

Ordinarily the Statement of Position must be filed with the Regional Office and served on the other parties such that it is received by them by noon 8 business days from the issuance of the Notice of Hearing. The regional director may postpone the due date for filing and serving the Statement of Position for good cause. The Statement of Position form must be E-Filed but, unlike other E-Filed documents, will not be timely if filed on the due date but after noon in the time zone of the Region where the petition is filed. Consequences for failing to satisfy the Statement of Position requirement are discussed on the following page under the heading "Preclusion." A request to postpone the hearing will not automatically be treated as a request for an extension of the Statement of Position due date. If a party wishes to request both a postponement of the hearing and a postponement of the Statement of Position due date, the request must make that clear and must specify the reasons that postponements of both are sought.

**Responsive Statement of Position** – Petitioner's Responsive Statement(s) of Position solicits a response to the Statement(s) of Position filed by the other parties and further facilitates entry into election agreements or streamlines the preelection hearing. A petitioner must file a Responsive Statement of Position in response to each party's Statement of Position addressing each issue in each Statement of Position(s), if desired. In the case of an RM petition, the employer-petitioner must also provide commerce information and file and serve a list of the full names, work locations, shifts, and job classifications of all individuals in the proposed unit. Ordinarily, the Responsive Statement of Position must be electronically filed with the Regional Office and served on the other parties such that it is received by noon 3 business days prior to the hearing. The regional director may postpone the due date for filing and serving the Responsive Statement of Position for good cause. The Responsive Statement of Position form must be E-Filed but, unlike other E-Filed documents, will not be timely if filed on the due date but after noon in the time zone of the Region where the petition is filed. Consequences for failing to satisfy the Responsive Statement of Position requirement are discussed on the following page under the heading "Preclusion." A request to postpone the hearing will not automatically be treated as a request for an extension of the Responsive Statement of Position due date. If a party wishes to request both a postponement of the hearing and a Postponement of the Responsive Statement of Position due date, the request must make that clear and must specify the reasons that postponements of both are sought.

**Posting and Distribution of Notice of Petition for Election** – Within 5 business days after service of the notice of hearing, the employer must post the Notice of Petition for Election in conspicuous places, including all places where notices to employees are customarily posted, and must also distribute it electronically to the employees in the petitioned-for unit if the employer customarily communicates with these employees electronically. The employer must maintain the posting until the petition is dismissed or withdrawn, or the Notice of Petition for Election is replaced by the Notice of Election. The employer's failure properly to post or distribute the Notice of Petition for Election may be grounds for setting aside the election if proper and timely objections are filed.

**Election Agreements** – Elections can occur either by agreement of the parties or by direction of the regional director or the Board. Three types of agreements are available: (1) a Consent Election Agreement (Form NLRB-651); (2) a Stipulated Election Agreement (Form NLRB-652); and (3) a Full Consent Agreement (Form NLRB-5509). In the Consent Election Agreement and the Stipulated Election Agreement, the parties agree on an appropriate unit and the method, date, time, and place of a secret ballot election that will be conducted by an NLRB agent. In the Consent Agreement, the parties also agree that post-election matters (election objections or determinative challenged ballots) will be resolved with finality by the regional director; whereas in the Stipulated Election Agreement, the parties agree that they may request Board review of the regional director's post-election determinations. A Full Consent Agreement provides that the regional director will make final determinations regarding all pre-election and post-election issues.

**Hearing Cancellation Based on Agreement of the Parties** – The issuance of the Notice of Representation Hearing does not mean that the matter cannot be resolved by agreement of the parties. On the contrary, the NLRB encourages prompt voluntary adjustments and the Board agent assigned to the case will work with the parties to enter into an election agreement, so the parties can avoid the time and expense of participating in a hearing.

**Hearing** – A hearing will be held unless the parties enter into an election agreement approved by the regional director or the petition is dismissed or withdrawn.

**Purpose of Hearing:** The primary purpose of a pre-election hearing is to determine if a question of representation exists. A question of representation exists if a proper petition has been filed concerning a unit

appropriate for the purpose of collective bargaining or, in the case of a decertification petition, concerning a unit in which a labor organization has been certified or is being currently recognized by the employer as the bargaining representative.

**Issues at Hearing:** Issues that might be litigated at the pre-election hearing include: jurisdiction; labor organization status; bars to elections; unit appropriateness; expanding and contracting unit issues; inclusion of professional employees with nonprofessional employees; seasonal operation; potential mixed guard/non-guard unit; and eligibility formulas. At the hearing, the timely filed Statement of Position and Responsive Statement of Position(s) will be received into evidence. The hearing officer will not receive evidence concerning any issue as to which the parties have not taken adverse positions, except for evidence regarding the Board's jurisdiction over the employer and evidence concerning any issue, such as the appropriateness of the proposed unit, as to which the regional director determines that record evidence is necessary.

**Preclusion:** At the hearing, a party will be precluded from raising any issue, presenting any evidence relating to any issue, cross-examining any witness concerning any issue, and presenting argument concerning any issue that the party failed to raise in its timely Statement of Position or Responsive Statement of Position(s) or to place in dispute in timely response to another party's Statement of Position or response, except that no party will be precluded from contesting or presenting evidence relevant to the Board's statutory jurisdiction to process the petition. Nor shall any party be precluded, on the grounds that a voter's eligibility or inclusion was not contested at the pre-election hearing, from challenging the eligibility of any voter during the election. If a party contends that the proposed unit is not appropriate in its Statement of Position but fails to specify the classifications, locations, or other employee groupings that must be added to or excluded from the proposed unit to make it an appropriate unit, the party shall also be precluded from raising any issue as to the appropriateness of the unit, presenting any evidence relating to the appropriateness of the unit, cross examining any witness concerning the appropriateness of the unit, and presenting argument concerning the appropriateness of the unit. As set forth in §102.66(d) of the Board's rules, if the employer fails to timely furnish the lists of employees, the employer will be precluded from contesting the appropriateness of the proposed unit at any time and from contesting the eligibility or inclusion of any individuals at the pre-election hearing, including by presenting evidence or argument, or by cross-examination of witnesses.

**Conduct of Hearing:** If held, the hearing is usually open to the public and will be conducted by a hearing officer of the NLRB. Any party has the right to appear at any hearing in person, by counsel, or by other representative, to call, examine, and cross-examine witnesses, and to introduce into the record evidence of the significant facts that support the party's contentions and are relevant to the existence of a question of representation. The hearing officer also has the power to call, examine, and cross-examine witnesses and to introduce into the record documentary and other evidence. Witnesses will be examined orally under oath. The rules of evidence prevailing in courts of law or equity shall not be controlling. Parties appearing at any hearing who have or whose witnesses have disabilities falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.503, and who in order to participate in this hearing need appropriate auxiliary aids, as defined in 29 C.F.R. 100.503, should notify the regional director as soon as possible and request the necessary assistance.

**Official Record:** An official reporter will make the only official transcript of the proceedings and all citations in briefs or arguments must refer to the official record. (Copies of exhibits should be supplied to the hearing officer and other parties at the time the exhibit is offered in evidence.) All statements made at the hearing will be recorded by the official reporter while the hearing is on the record. If a party wishes to make off-the-record remarks, requests to make such remarks should be directed to the hearing officer and not to the official reporter. After the close of the hearing, any request for corrections to the record, either by stipulation or motion, should be forwarded to the regional director.

**Motions and Objections:** All motions must be in writing unless stated orally on the record at the hearing and must briefly state the relief sought and the grounds for the motion. A copy of any motion must be served immediately on the other parties to the proceeding. Motions made during the hearing are filed with the hearing officer. All other motions are filed with the regional director, except that motions made after the transfer of the record to the Board are filed with the Board. If not E-Filed, an original and two copies of written motions shall be filed. Statements of reasons in support of motions or objections should be as concise as possible. Objections shall not be deemed waived by further participation in the hearing. On appropriate request, objections may be permitted to stand to an entire line of questioning. Automatic exceptions will be allowed to all adverse rulings.

**Election Details:** Prior to the close of the hearing the hearing officer will: (1) solicit the parties' positions (but will not permit litigation) on the type, date(s), time(s), and location(s) of the election and the eligibility period; (2) solicit the name, address, email address, facsimile number, and phone number of the employer's on-site representative to whom the regional director should transmit the Notice of Election if an election is directed; (3) inform the parties that the regional director will issue a decision as soon as practicable and will immediately transmit the document to the parties and their designated representatives by email, facsimile, or by overnight mail (if neither an email address nor facsimile number was provided); and (4) inform the parties of their obligations if the director directs an election and of the time for complying with those obligations.

**Oral Argument and Briefs:** Upon request, any party is entitled to a reasonable period at the close of the hearing for oral argument, which will be included in the official transcript of the hearing. At any time before the close of the hearing, any party may file a memorandum addressing relevant issues or points of law. Post-hearing briefs shall be due within 5 business days of the close of the hearing. The hearing officer may allow up to 10 additional business days for such briefs prior to the close of hearing and for good cause. If filed, copies of the memorandum or brief shall be served on all other parties to the proceeding and a statement of such service shall be filed with the memorandum or brief. No reply brief may be filed except upon special leave of the regional director. Briefs including electronic documents, filed with the Regional Director must be formatted as double-spaced in an 8½ by 11 inch format and must be e-filed through the Board's website, [www.nlr.gov](http://www.nlr.gov).

**Regional Director Decision** - After the hearing, the regional director issues a decision directing an election, dismissing the petition or reopening the hearing. A request for review of the regional director's pre-election decision may be filed with the Board at any time after issuance of the decision until 10 business days after a final disposition of the proceeding by the regional director. Accordingly, a party need not file a request for review before the election in order to preserve its right to contest that decision after the election. Instead, a party can wait to see whether the election results have mooted the basis of an appeal. The Board will grant a request for review only where compelling reasons exist therefor.

**Voter List** – The employer must provide to the regional director and the parties named in the election agreement or direction of election a list of the full names, work locations, shifts, job classifications, and contact information (including home addresses, available personal email addresses, and available home and personal cellular ("cell") telephone numbers) of all eligible voters. (In construction industry elections, unless the parties stipulate to the contrary, also eligible to vote are all employees in the unit who either (1) were employed a total of 30 working days or more within the 12 months preceding the election eligibility date or (2) had some employment in the 12 months preceding the election eligibility date and were employed 45 working days or more within the 24 months immediately preceding the election eligibility date. However, employees meeting either of those criteria who were terminated for cause or who quit voluntarily prior to the completion of the last job for which they were employed, are not eligible.) The employer must also include in a separate section of the voter list the same information for those individuals whom the parties have agreed should be permitted to vote subject to challenge or those individuals who, according to the direction of election, will be permitted to vote subject to challenge. The list of names must be alphabetized (overall or by department) and be in the same Microsoft Word file (or Microsoft Word compatible file) format as the initial lists provided with the Statement of Position form unless the parties agree to a different format or the employer certifies that it does not possess the capacity to produce the list in the required form. When feasible, the list must be filed electronically with the regional director and served electronically on the other parties named in the agreement or direction. To be timely filed and served, the voter list must be received by the regional director and the parties named in the agreement or direction respectively within 2 business days after the approval of the agreement or issuance of the direction of elections unless a longer time is specified in the agreement or direction. A certificate of service on all parties must be filed with the regional director when the voter list is filed. The employer's failure to file or serve the list within the specified time or in proper format shall be grounds for setting aside the election whenever proper and timely objections are filed. The parties shall not use the list for purposes other than the representation proceeding, Board proceedings arising from it, and related matters.

**Waiver of Time to Use Voter List** – Under existing NLRB practice, an election is not ordinarily scheduled for a date earlier than 10 calendar days after the date when the employer must file the voter list with the Regional Office. However, the parties entitled to receive the voter list may waive all or part of the 10-day period by executing Form NLRB-4483. A waiver will not be effective unless all parties who are entitled to the list agree to waive the same number of days.

**Election** – Information about the election, requirements to post and distribute the Notice of Election, and possible proceedings after the election is available from the Regional Office and will be provided to the parties when the Notice of Election is sent to the parties.

**Withdrawal or Dismissal** – If it is determined that the NLRB does not have jurisdiction or that other criteria for proceeding to an election are not met, the petitioner is offered an opportunity to withdraw the petition. If the petitioner does not withdraw the petition, the regional director will dismiss the petition and advise the petitioner of the reason for the dismissal and of the right to appeal to the Board.



## **REVIEW THE FOLLOWING IMPORTANT INFORMATION BEFORE FILLING OUT A STATEMENT OF POSITION FORM**

**Completing and Filing this Form:** The Notice of Hearing indicates which parties are responsible for completing the form. If you are required to complete the form, you must have it signed by an authorized representative and file a completed copy (including all attachments) with the RD and serve copies on all parties named in the petition by the date and time established for its submission. If more space is needed for your answers, additional pages may be attached. If you have questions about this form or would like assistance in filling out this form, please contact the Board agent assigned to handle this case. **You must EFile your Statement of Position at [www.nlr.gov](http://www.nlr.gov), but unlike other e-Filed documents, it will *not* be timely if filed on the due date but after noon in the time zone of the Region where the petition was filed.**

***Note: Non-employer parties who complete this Statement of Position are NOT required to complete items 8f and 8g of the form, or to provide a commerce questionnaire or the lists described in item 7.***

**Required Lists:** The employer's Statement of Position must include a list of the full names, work locations, shifts, and job classifications of all individuals in the proposed unit as of the payroll period preceding the filing of the petition who remain employed at the time of filing. If the employer contends that the proposed unit is inappropriate, the employer must separately list the full names, work locations, shifts and job classifications of all individuals that it contends must be added to the proposed unit to make it an appropriate unit. The employer must also indicate those individuals, if any, whom it believes must be excluded from the proposed unit to make it an appropriate unit. These lists must be alphabetized (overall or by department). Unless the employer certifies that it does not possess the capacity to produce the lists in the required form, the lists must be in a table in a Microsoft Word file (.doc or .docx) or a file that is compatible with Microsoft Word, the first column of the table must begin with each employee's last name, and the font size of the list must be the equivalent of Times New Roman 10 or larger. That font does not need to be used but the font must be that size or larger. A sample, optional form for the list is provided on the NLRB website at [www.nlr.gov/sites/default/files/attachments/basic-page/node-4559/Optional Forms for Voter List.docx](http://www.nlr.gov/sites/default/files/attachments/basic-page/node-4559/Optional%20Forms%20for%20Voter%20List.docx).

**Consequences of Failure to Supply Information:** Failure to supply the information requested by this form may preclude you from litigating issues under 102.66(d) of the Board's Rules and Regulations. Section 102.66(d) provides as follows:

A party shall be precluded from raising any issue, presenting any evidence relating to any issue, cross-examining any witness concerning any issue, and presenting argument concerning any issue that the party failed to raise in its timely Statement of Position or to place in dispute in response to another party's Statement of Position or response, except that no party shall be precluded from contesting or presenting evidence relevant to the Board's statutory jurisdiction to process the petition. Nor shall any party be precluded, on the grounds that a voter's eligibility or inclusion was not contested at the pre-election hearing, from challenging the eligibility of any voter during the election. If a party contends that the proposed unit is not appropriate in its Statement of Position but fails to specify the classifications, locations, or other employee groupings that must be added to or excluded from the proposed unit to make it an appropriate unit, the party shall also be precluded from raising any issue as to the appropriateness of the unit, presenting any evidence relating to the appropriateness of the unit, cross-examining any witness concerning the appropriateness of the unit, and presenting argument concerning the appropriateness of the unit. If the employer fails to timely furnish the lists of employees described in §§102.63(b)(1)(iii), (b)(2)(iii), or (b)(3)(iii), the employer shall be precluded from contesting the appropriateness of the proposed unit at any time and from contesting the eligibility or inclusion of any individuals at the pre-election hearing, including by presenting evidence or argument, or by cross-examination of witnesses.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
**STATEMENT OF POSITION**

**DO NOT WRITE IN THIS SPACE**

Case No. 20-RC-278562	Date Filed June 15, 2021
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**INSTRUCTIONS:** Submit this Statement of Position to an NLRB Office in the Region in which the petition was filed and serve it and all attachments on each party named in the petition in this case such that it is received by them by the date and time specified in the notice of hearing.

**Note:** Non-employer parties who complete this form are NOT required to complete items 8f or 8g below or to provide a commerce questionnaire or the lists described in item 7.

1a. Full name of party filing Statement of Position		1c. Business Phone:	1e. Fax No.:
1b. Address (Street and number, city, state, and ZIP code)		1d. Cell No.:	1f. e-Mail Address
2. Do you agree that the NLRB has jurisdiction over the Employer in this case? <input type="checkbox"/> Yes <input type="checkbox"/> No (A completed commerce questionnaire (Attachment A) must be submitted by the Employer, regardless of whether jurisdiction is admitted)			
3. Do you agree that the proposed unit is appropriate? <input type="checkbox"/> Yes <input type="checkbox"/> No (If not, answer 3a and 3b )			
a. State the basis for your contention that the proposed unit is not appropriate. (If you contend a classification should be excluded or included briefly explain why, such as shares a community of interest or are supervisors or guards )			
b. State any classifications, locations, or other employee groupings that must be added to or excluded from the proposed unit to make it an appropriate unit.			
Added		Excluded	
4. Other than the individuals in classifications listed in 3b, list any individual(s) whose eligibility to vote you intend to contest at the pre-election hearing in this case and the basis for contesting their eligibility.			
5. Is there a bar to conducting an election in this case? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, state the basis for your position.			
6. Describe all other issues you intend to raise at the pre-election hearing.			
7. The employer must provide the following lists which must be alphabetized (overall or by department) in the format specified at <a href="http://www.nlr.gov/sites/default/files/attachments/basic-page/node-4559/Optional%20Forms%20for%20Voter%20List.docx">www.nlr.gov/sites/default/files/attachments/basic-page/node-4559/Optional Forms for Voter List.docx</a> . (a) A list containing the full names, work locations, shifts and job classification of all individuals in the proposed unit as of the payroll period immediately preceding the filing of the petition who remain employed as of the date of the filing of the petition. (Attachment B) (b) If the employer contends that the proposed unit is inappropriate the employer must provide (1) a separate list containing the full names, work locations, shifts and job classifications of all individuals that it contends must be <i>added</i> to the proposed unit, if any to make it an appropriate unit, (Attachment C) and (2) a list containing the full names of any individuals it contends must be <i>excluded</i> from the proposed unit to make it an appropriate unit. (Attachment D)			
8a. State your position with respect to the details of any election that may be conducted in this matter. Type: <input type="checkbox"/> Manual <input type="checkbox"/> Mail <input type="checkbox"/> Mixed Manual/Mail			
8b. Date(s)	8c. Time(s)	8d. Location(s)	
8e. Eligibility Period (e.g. special eligibility formula)	8f. Last Payroll Period Ending Date	8g. Length of payroll period <input type="checkbox"/> Weekly <input type="checkbox"/> Biweekly <input type="checkbox"/> Other (specify length)	
<b>9. Representative who will accept service of all papers for purposes of the representation proceeding</b>			
9a. Full name and title of authorized representative		9b. Signature of authorized representative	9c. Date
9d. Address (Street and number, city, state, and ZIP code)			9e. e-Mail Address
9f. Business Phone No.:		9g. Fax No.	9h. Cell No.

**WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. Section 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation proceedings. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (December 13, 2006). The NLRB will further explain these uses upon request. Failure to supply the information requested by this form may preclude you from litigating issues under 102.66(d) of the Board's Rules and Regulations and may cause the NLRB to refuse to further process a representation case or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

## QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

CASE NUMBER  
20-RC-278562

## 1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)

## 2. TYPE OF ENTITY

☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify )

## 3. IF A CORPORATION or LLC

A. STATE OF INCORPORATION  
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

## 4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS

## 5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR

## 6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).

## 7A. PRINCIPAL LOCATION:

## 7B. BRANCH LOCATIONS:

## 8. NUMBER OF PEOPLE PRESENTLY EMPLOYED

A. TOTAL:

B. AT THE ADDRESS INVOLVED IN THIS MATTER:

9. DURING THE MOST RECENT (Check the appropriate box): ☐ CALENDAR ☐ 12 MONTHS or ☐ FISCAL YEAR (FY DATES \_\_\_\_\_)

YES

NO

A. Did you provide services valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.  
\$ \_\_\_\_\_

B. If you answered no to 9A, did you provide services valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided. \$ \_\_\_\_\_

C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$ \_\_\_\_\_

D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$ \_\_\_\_\_

E. If you answered no to 9D, did you sell goods valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$ \_\_\_\_\_

F. Did you purchase and receive goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$ \_\_\_\_\_

G. Did you purchase and receive goods valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$ \_\_\_\_\_

H. Gross Revenues from all sales or performance of services (Check the largest amount)

☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.

I. Did you begin operations within the last 12 months? If yes, specify date: \_\_\_\_\_

## 10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?

☐ YES ☐ NO (If yes, name and address of association or group).

## 11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

## 12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

## **REVIEW THE FOLLOWING IMPORTANT INFORMATION BEFORE FILLING OUT A RESPONSIVE STATEMENT OF POSITION FORM**

**Completing and Filing this Form:** For **RC and RD petitions**, the Petitioner is required to complete this form in response to each timely filed and served Statement of Position filed by another party. For **RM petitions**, the Employer-Petitioner must complete a Responsive Statement of Position form and submit the list described below. In accordance with Section 102.63(b) of the Board's Rules, if you are required to complete the form, you must have it signed by an authorized representative, and file a completed copy with any necessary attachments, with this office and serve it on all parties named in the petition responding to the issues raised in another party's Statement of Position, such that it is received no later than noon three business days before the date of the hearing. A separate form must be completed for each timely filed and properly served Statement of Position you receive. If more space is needed for your answers, additional pages may be attached. If you have questions about this form or would like assistance in filling out this form, please contact the Board agent assigned to handle this case. **You must E-File your Responsive Statement of Position at [www.NLRB.gov](http://www.NLRB.gov), but unlike other e-Filed documents, it will *not* be timely if filed on the due date but after noon in the time zone of the Region where the petition was filed. Note that if you are completing this form as a PDF downloaded from [www.NLRB.gov](http://www.NLRB.gov), the form will lock upon signature and no further editing may be made.**

**Required List:** In addition to responding to the issues raised in another party's Statement of Position, if any, the Employer-Petitioner in an RM case is required to file and serve on the parties a list of the full names, work locations, shifts, and job classifications of all individuals in the proposed unit as of the payroll period preceding the filing of the petition who remain employed at the time of filing. This list must be alphabetized (overall or by department). Unless the employer certifies that it does not possess the capacity to produce the list in the required form, the list must be in a table in a Microsoft Word file (.doc or .docx) or a file that is compatible with Microsoft Word, the first column of the table must begin with each employee's last name, and the font size of the list must be the equivalent of Times New Roman 10 or larger. That font does not need to be used but the font must be that size or larger. A sample, optional form for the list is provided on the NLRB website at [www.nlr.gov/sites/default/files/attachments/basic-page/node-4559/Optional Forms for Voter List.docx](http://www.nlr.gov/sites/default/files/attachments/basic-page/node-4559/Optional%20Forms%20for%20Voter%20List.docx)

**Consequences of Failure to Submit a Responsive Statement of Position:** Failure to supply the information requested by this form may preclude you from litigating issues under 102.66(d) of the Board's Rules and Regulations. Section 102.66(d) provides as follows:

A party shall be precluded from raising any issue, presenting any evidence relating to any issue, cross-examining any witness concerning any issue, and presenting argument concerning any issue that the party failed to raise in its timely Statement of Position or to place in dispute in response to another party's Statement of Position or response, except that no party shall be precluded from contesting or presenting evidence relevant to the Board's statutory jurisdiction to process the petition. Nor shall any party be precluded, on the grounds that a voter's eligibility or inclusion was not contested at the pre-election hearing, from challenging the eligibility of any voter during the election. If a party contends that the proposed unit is not appropriate in its Statement of Position but fails to specify the classifications, locations, or other employee groupings that must be added to or excluded from the proposed unit to make it an appropriate unit, the party shall also be precluded from raising any issue as to the appropriateness of the unit, presenting any evidence relating to the appropriateness of the unit, cross-examining any witness concerning the appropriateness of the unit, and presenting argument concerning the appropriateness of the unit. If the employer fails to timely furnish the lists of employees described in §§102.63(b)(1)(iii), (b)(2)(iii), or (b)(3)(iii), the employer shall be precluded from contesting the appropriateness of the proposed unit at any time and from contesting the eligibility or inclusion of any individuals at the pre-election hearing, including by presenting evidence or argument, or by cross-examination of witnesses.

UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
**RESPONSIVE STATEMENT OF POSITION – RC, RD or RM PETITION**

**DO NOT WRITE IN THIS SPACE**

Case No.  
20-RC-278562

Date Filed  
June 15, 2021

**INSTRUCTIONS:** If a party has submitted and served on you a timely Statement of Position to an RC, RD or RM petition, the Petitioner must submit this Responsive Statement of Position to an NLRB Office in the Region in which the petition was filed and serve it and any attachments on each party named in the petition in this case such that it is received by noon local time, three business days prior to the hearing date specified in the Notice of Hearing. A separate form must be completed for each timely filed and properly served Statement of Position received by the Petitioner. The Petitioner-Employer in a RM case is required to file this Responsive Statement of Position and include an appropriate employee list without regard to whether another party has filed a Statement of Position.

This Responsive Statement of Position is filed by the Petitioner in response to a Statement of Position received from the following party:

<b>The Employer</b>	<b>An Intervenor/Union</b>
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1a. Full Name of Party Filing Responsive Statement of Position			
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1c. Business Phone	1d. Cell No.	1e. Fax No.	1f. E-Mail Address
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1b. Address (Street and Number, City, State, and ZIP Code)			
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2. Identify all issues raised in the other party's Statement of Position that you dispute and describe the basis of your dispute:

**a. EMPLOYER NAME/IDENTITY** [Box 1a of Statement of Position Form NLRB-505 and Questionnaire on Commerce Information]

☐ No Dispute (no further response required) ☐ Dispute (response required below)

Response to Statement of Position:

**b. JURISDICTION** [Box 2 of Statement of Position Form NLRB-505 and Questionnaire on Commerce Information]

☐ No Dispute (no further response required) ☐ Dispute (response required below)

Response to Statement of Position:

**c. APPROPRIATENESS OF UNIT** [Boxes 3, 3a and 3b of Statement of Position Form NLRB-505]

☐ No Dispute (no further response required) ☐ Dispute (response required below)

Response to Statement of Position:

**d. INDIVIDUAL ELIGIBILITY** [Box 4 of Statement of Position Form NLRB-505]

☐ No Dispute (no further response required) ☐ Dispute (response required below)

Response to Statement of Position:

**e. BARS TO ELECTION** [Box 5 of Statement of Position Form NLRB-505]

☐ No Dispute (no further response required) ☐ Dispute (response required below)

Response to Statement of Position:

**f. ALL OTHER ISSUES** [Box 6 of Statement of Position Form NLRB-505]

☐ No Dispute (no further response required) ☐ Dispute (response required below)

Response to Statement of Position:

**g. ELECTION DETAILS** [Boxes 8a, 8b, 8c, 8d, 8e, 8f, and 8g of Statement of Position Form NLRB-505]

☐ No Dispute (no further response required) ☐ Dispute (response required below)

Response to Statement of Position:

Full Name and Title of Authorized Representative	Signature of Authorized Representative	Date
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**WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. Section 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation proceedings. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. 74942-43 (December 13, 2006). The NLRB will further explain these uses upon request. Failure to supply the information requested by this form may preclude you from litigating issues under 102.66(d) of the Board's Rules and Regulations and may cause the NLRB to refuse to further process a representation case or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

**Please fill all necessary fields on the form PRIOR to digitally signing. To make changes after the form has been signed, right-click on the signature field and click "clear signature." Once complete, please sign the form.**



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156



Download  
NLRB  
Mobile App

June 15, 2021

**URGENT**

*wmcenany@cwa-union.org*

Wesley McEnany  
Communications Workers of America, AFL-CIO  
2804 Gateway Oaks Drive  
Suite 150  
Sacramento, CA 95833

Re: Mapbox  
Case 20-RC-278562

Dear Mr. McEnany:

The enclosed petition that you filed with the National Labor Relations Board (NLRB) has been assigned the above case number. This letter tells you how to contact the Board agent who will be handling this matter; explains your obligation to provide the originals of the showing of interest and the requirement that you complete and serve a Responsive Statement of Position form in response to each timely filed and served Statement(s) of Position; notifies you of a hearing; describes the employer's obligation to post and distribute a Notice of Petition for Election, complete a Statement of Position and provide a voter list; requests that you provide certain information; notifies you of your right to be represented; and discusses some of our procedures including how to submit documents to the NLRB.

**Investigator:** This petition will be investigated by Field Examiner SAMUEL J. HOFFMANN whose telephone number is (628)221-8855. The Board agent will contact you shortly to discuss processing the petition. If you have any questions, please do not hesitate to call the Board agent. The Board agent may also contact you and the other party or parties to schedule a conference meeting or telephonic or video conference for some time before the close of business the day following receipt of the final Responsive Statement(s) of Position. This will give the parties sufficient time to determine if any issues can be resolved prior to hearing or if a hearing is necessary. If the agent is not available, you may contact Supervisory Field Examiner OLIVIA VARGAS whose telephone number is (628)221-8876. If appropriate, the NLRB attempts to schedule an election either by agreement of the parties or by holding a hearing and then directing an election.

**Showing of Interest:** If the Showing of Interest you provided in support of your petition was submitted electronically or by fax, the original documents which constitute the Showing of Interest containing handwritten signatures must be delivered to the Regional office within **2**

**business days.** If the originals are not received within that time the Region will dismiss your petition.

**Notice of Hearing:** Enclosed is a Notice of Representation Hearing to be conducted at **10:00 AM on July 6, 2021 at the National Labor Relations Board office, the Natalie P. Allen Memorial Courtroom, 901 Market St., Suite 400, San Francisco, CA 94103**, if the parties do not voluntarily agree to an election. If a hearing is necessary, the hearing will run on consecutive days until concluded unless the regional director concludes that extraordinary circumstances warrant otherwise. Before the hearing begins, the NLRB will continue to explore potential areas of agreement with the parties in order to reach an election agreement and to eliminate or limit the costs associated with formal hearings. **Please note that the hearing date and method of hearing (in person or tele/videoconference) are subject to change as more information becomes available regarding COVID-19. Our offices are currently closed, and if we do not reopen by July 6, the hearing will likely be conducted telephonically or by videoconference.**

Upon request of a party showing good cause, the regional director may postpone the hearing. A party desiring a postponement should make the request to the regional director in writing, set forth in detail the grounds for the request, and include the positions of the other parties regarding the postponement. E-Filing the request is required. A copy of the request must be served simultaneously on all the other parties, and that fact must be noted in the request.

**Posting and Distribution of Notice:** The Employer must post the enclosed Notice of Petition for Election by **June 22, 2021** in conspicuous places, including all places where notices to employees are customarily posted. If it customarily communicates electronically with its employees in the petitioned-for unit, it must also distribute the notice electronically to them. The Employer must maintain the posting until the petition is dismissed or withdrawn or this notice is replaced by the Notice of Election. Failure to post or distribute the notice may be grounds for setting aside the election if proper and timely objections are filed.

**Statement of Position:** In accordance with Section 102.63(b) of the Board's Rules, the Employer is required to complete the enclosed Statement of Position form, have it signed by an authorized representative, and file a completed copy with any necessary attachments, with this office and serve it on all parties named in the petition by **noon Pacific Time on June 25, 2021**. The Statement of Position must include a list of the full names, work locations, shifts, and job classifications of all individuals in the proposed unit as of the payroll period preceding the filing of the petition who remain employed at the time of filing. If the Employer contends that the proposed unit is inappropriate, it must separately list the full names, work locations, shifts and job classifications of all individuals that it contends must be added to the proposed unit to make it an appropriate unit. The Employer must also indicate those individuals, if any, whom it believes must be excluded from the proposed unit to make it an appropriate unit.

**Required Responsive Statement of Position (RSOP):** In accordance with Section 102.63(b) of the Board's Rules, following timely filing and service of a Statement of Position, the petitioner is required to complete the enclosed Responsive Statement of Position form addressing issues raised in any Statement(s) of Position. The petitioner must file a complete, signed RSOP in response to all other parties' timely filed and served Statement of Position, with

all required attachments, with this office and serve it on all parties named in the petition such that it is received by them by **noon Pacific Time on June 30, 2021**. This form solicits information that will facilitate entry into election agreements or streamline the pre-election hearing if the parties are unable to enter into an election agreement. **This form must be e-Filed, but unlike other e-Filed documents, will not be timely if filed on the due date but after noon Pacific Time.** If you have questions about this form or would like assistance in filling out this form, please contact the Board agent named above.

*Failure to Supply Information:* Failure to supply the information requested by the RSOP form may preclude you from litigating issues under Section 102.66(d) of the Board's Rules and Regulations. Section 102.66(d) provides as follows:

A party shall be precluded from raising any issue, presenting any evidence relating to any issue, cross-examining any witness concerning any issue, and presenting argument concerning any issue that the party failed to raise in its timely Statement of Position or to place in dispute in response to another party's Statement of Position or response, except that no party shall be precluded from contesting or presenting evidence relevant to the Board's statutory jurisdiction to process the petition. Nor shall any party be precluded, on the grounds that a voter's eligibility or inclusion was not contested at the pre-election hearing, from challenging the eligibility of any voter during the election. If a party contends that the proposed unit is not appropriate in its Statement of Position but fails to specify the classifications, locations, or other employee groupings that must be added to or excluded from the proposed unit to make it an appropriate unit, the party shall also be precluded from raising any issue as to the appropriateness of the unit, presenting any evidence relating to the appropriateness of the unit, cross-examining any witness concerning the appropriateness of the unit, and presenting argument concerning the appropriateness of the unit. If the employer fails to timely furnish the lists of employees described in §§ 102.63(b)(1)(iii), (b)(2)(iii), or (b)(3)(iii), the employer shall be precluded from contesting the appropriateness of the proposed unit at any time and from contesting the eligibility or inclusion of any individuals at the pre-election hearing, including by presenting evidence or argument, or by cross-examination of witnesses.

**Voter List:** If an election is held in this matter, the Employer must transmit to this office and to the other parties to the election, an alphabetized list of the full names and addresses of all eligible voters, including their shifts, job classifications, work locations, and other contact information including available personal email addresses and available personal home and cellular telephone numbers. Usually, the list must be furnished within 2 business days of the issuance of the Decision and Direction of Election or approval of an election agreement. The list must be electronically filed with the Region and served electronically on the other parties. To guard against potential abuse, this list may not be used for purposes other than the representation proceeding, NLRB proceedings arising from it or other related matters.



Under existing NLRB practice, an election is not ordinarily scheduled for a date earlier than 10 days after the date when the Employer must file the voter list with the Regional Office. However, a petitioner and/or union entitled to receive the voter list may waive all or part of the 10-day period by executing Form NLRB-4483, which is available on the NLRB's website or from an NLRB office. A waiver will not be effective unless all parties who are entitled to the voter list agree to waive the same number of days.

**Information Needed Now:** Please submit to this office, as soon as possible, the following information needed to handle this matter:

- (a) The correct name of the Union as stated in its constitution or bylaws.
- (b) A copy of any existing or recently expired collective-bargaining agreements, and any amendments or extensions, or any recognition agreements covering any employees in the petitioned-for unit.
- (c) If potential voters will need notices or ballots translated into a language other than English, the names of those languages and dialects, if any.
- (d) The name and contact information for any other labor organization (union) claiming to represent or have an interest in any of the employees in the petitioned-for unit and for any employer who may be a joint employer of the employees in the proposed unit. Failure to disclose the existence of an interested party may delay the processing of the petition.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before the NLRB. In view of our policy of processing these cases expeditiously, if you wish to be represented, you should obtain representation promptly. Your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request.

If someone contacts you about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the NLRB. Their knowledge regarding this matter was obtained only through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Procedures:** Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site ([www.nlr.gov](http://www.nlr.gov)). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determinations solely based on the documents and evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native



format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the petition.

Information about the NLRB and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request. We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jill H. Coffman". The signature is fluid and cursive, with the first name "Jill" and last name "Coffman" clearly distinguishable.

JILL H. COFFMAN  
Regional Director

Enclosures

1. Petition
2. Notice of Petition for Election (Form 5492)
3. Notice of Representation Hearing
4. Description of Procedures in Certification and Decertification Cases (Form 4812)
5. Statement of Position form and Commerce Questionnaire (Form 505)
6. Responsive Statement of Position (Form 506)

cc: David A. Rosenfeld, Attorney at Law  
Weinberg, Roger & Rosenfeld  
1375 55th Street  
Emeryville, CA 94608



## National Labor Relations Board



# NOTICE OF PETITION FOR ELECTION

This notice is to inform employees that Communications Workers of America, AFL-CIO has filed a petition with the National Labor Relations Board (NLRB), a Federal agency, in Case 20-RC-278562 seeking an election to become certified as the representative of the employees of Mapbox in the unit set forth below:

**Included:** All employees, including community team and spaces team.

**Excluded:** Legal Dept., People Dept., Finance Dept., office clerical employees, supervisors, guards and all independent contractors.

This notice also provides you with information about your basic rights under the National Labor Relations Act, the processing of the petition, and rules to keep NLRB elections fair and honest.

## YOU HAVE THE RIGHT under Federal Law

- To self-organization
- To form, join, or assist labor organizations
- To bargain collectively through representatives of your own choosing
- To act together for the purposes of collective bargaining or other mutual aid or protection
- To refuse to do any or all of these things unless the union and employer, in a state where such agreements are permitted, enter into a lawful union-security agreement requiring employees to pay periodic dues and initiation fees. Nonmembers who inform the union that they object to the use of their payments for nonrepresentational purposes may be required to pay only their share of the union's costs of representational activities (such as collective bargaining, contract administration, and grievance adjustments).

## PROCESSING THIS PETITION

Elections do not necessarily occur in all cases after a petition is filed. **NO FINAL DECISIONS HAVE BEEN MADE YET** regarding the appropriateness of the proposed unit or whether an election will be held in this matter. If appropriate, the NLRB will first see if the parties will enter into an election agreement that specifies the method, date, time, and location of an election and the unit of employees eligible to vote. If the parties do not enter into an election agreement, usually a hearing is held to receive evidence on the appropriateness of the unit and other issues in dispute. After a hearing, an election may be directed by the NLRB, if appropriate.

**IF AN ELECTION IS HELD**, it will be conducted by the NLRB by secret ballot and Notices of Election will be posted before the election giving complete details for voting.

# ELECTION RULES

The NLRB applies rules that are intended to keep its elections fair and honest and that result in a free choice. If agents of any party act in such a way as to interfere with your right to a free election, the election can be set aside by the NLRB. Where appropriate the NLRB provides other remedies, such as reinstatement for employees fired for exercising their rights, including backpay from the party responsible for their discharge.

The following are examples of conduct that interfere with employees' rights and may result in setting aside the election:

- Threatening loss of jobs or benefits by an employer or a union
- Promising or granting promotions, pay raises, or other benefits, to influence an employee's vote by a party capable of carrying out such promises
- An employer firing employees to discourage or encourage union activity or a union causing them to be fired to encourage union activity
- Making campaign speeches to assembled groups of employees on company time, where attendance is mandatory, within the 24-hour period before the polls for the election first open or, if the election is conducted by mail, from the time and date the ballots are scheduled to be sent out by the Region until the time and date set for their return
- Incitement by either an employer or a union of racial or religious prejudice by inflammatory appeals
- Threatening physical force or violence to employees by a union or an employer to influence their votes

Please be assured that IF AN ELECTION IS HELD, every effort will be made to protect your right to a free choice under the law. Improper conduct will not be permitted. All parties are expected to cooperate fully with the NLRB in maintaining basic principles of a fair election as required by law. The NLRB as an agency of the United States Government does not endorse any choice in the election.

For additional information about the processing of petitions, go to [www.nlr.gov](http://www.nlr.gov) or contact the NLRB at (415)356-5130.

THIS IS AN OFFICIAL GOVERNMENT NOTICE AND MUST NOT BE DEFACED BY ANYONE. IT MUST REMAIN POSTED WITH ALL PAGES SIMULTANEOUSLY VISIBLE UNTIL REPLACED BY THE NOTICE OF ELECTION OR THE PETITION IS DISMISSED OR WITHDRAWN.



## National Labor Relations Board





**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 20**



<b>Mapbox</b>  <b>Employer</b>  <b>and</b>  <b>Communications Workers of America, AFL-CIO</b>  <b>Petitioner</b>	<b>Case 20-RC-278562</b>
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**NOTICE OF REPRESENTATION HEARING**

The Petitioner filed the attached petition pursuant to Section 9(c) of the National Labor Relations Act. It appears that a question affecting commerce exists as to whether the employees in the unit described in the petition wish to be represented by a collective-bargaining representative as defined in Section 9(a) of the Act.

YOU ARE HEREBY NOTIFIED that, pursuant to Sections 3(b) and 9(c) of the Act, at 10:00 AM on **July 6, 2021**, and on consecutive days thereafter until concluded, at the National Labor Relations Board offices located at Natalie P. Allen Memorial Courtroom, 901 Market Street, Suite 400, San Francisco, CA 94103, a hearing will be conducted before a hearing officer of the National Labor Relations Board. At the hearing, the parties will have the right to appear in person or otherwise, and give testimony. **Please note that the hearing date and method of hearing (in person or tele/videoconference) are subject to change as more information becomes available regarding COVID-19. Our offices are currently closed, and if we do not reopen by July 6, the hearing will likely be conducted telephonically or by videoconference.**

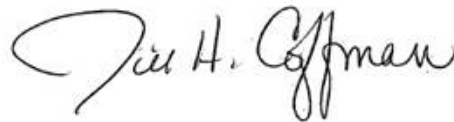
YOU ARE FURTHER NOTIFIED that, pursuant to Section 102.63(b) of the Board's Rules and Regulations, Mapbox must complete the Statement of Position and file it and all attachments with the Regional Director and serve it on the parties listed on the petition such that is received by them by no later than **noon** Pacific time on **June 25, 2021**. Following timely filing and service of a Statement of Position by Mapbox, the Petitioner must complete its Responsive Statement of Position(s) responding to the issues raised in the Employer's and/or Union's Statement of Position and file them and all attachments with the Regional Director and serve them on the parties named in the petition such that they are received by them no later than **noon** Pacific on **June 30, 2021**.

Pursuant to Section 102.5 of the Board's Rules and Regulations, all documents filed in cases before the Agency must be filed by electronically submitting (E-Filing) through the Agency's website ([www.nlrb.gov](http://www.nlrb.gov)), unless the party filing the document does not have access to the means for filing electronically or filing electronically would impose an undue burden.

Documents filed by means other than E-Filing must be accompanied by a statement explaining why the filing party does not have access to the means for filing electronically or filing electronically would impose an undue burden. Detailed instructions for using the NLRB's E-Filing system can be found in the [E-Filing System User Guide](#)

The Statement of Position and Responsive Statement of Position must be E-Filed but, unlike other E-Filed documents, must be filed by **noon** Pacific on the due date in order to be timely. If an election agreement is signed by all parties and returned to the Regional Office before the due date of the Statement of Position, the Statement of Position and Responsive Statement of Position are not required to be filed. If an election agreement is signed by all parties and returned to the Regional office after the due date of the Statement of Position but before the due date of the Responsive Statement of Position, the Responsive Statement of Position is not required to be filed.

Dated: June 15, 2021

A handwritten signature in black ink that reads "Jill H. Coffman". The signature is fluid and cursive, with the first name "Jill" and last name "Coffman" clearly legible.

---

JILL H. COFFMAN  
REGIONAL DIRECTOR  
NATIONAL LABOR RELATIONS BOARD  
REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**DESCRIPTION OF REPRESENTATION CASE PROCEDURES  
IN CERTIFICATION AND DECERTIFICATION CASES**

The National Labor Relations Act grants employees the right to bargain collectively through representatives of their own choosing and to refrain from such activity. A party may file an RC, RD or RM petition with the National Labor Relations Board (NLRB) to conduct a secret ballot election to determine whether a representative will represent, or continue to represent, a unit of employees. An **RC** petition is generally filed by a union that desires to be certified as the bargaining representative. An **RD** petition is filed by employees who seek to remove the currently recognized union as the bargaining representative. An **RM** petition is filed by an employer who seeks an election because one or more individuals or unions have sought recognition as the bargaining representative, or based on a reasonable belief supported by objective considerations that the currently recognized union has lost its majority status. This form generally describes representation case procedures in RC, RD and RM cases, also referred to as certification and decertification cases.

**Right to be Represented** – Any party to a case with the NLRB has the right to be represented by an attorney or other representative in any proceeding before the NLRB. A party wishing to have a representative appear on its behalf should have the representative complete a Notice of Appearance (Form NLRB-4701), and E-File it at [www.nlr.gov](http://www.nlr.gov) or forward it to the NLRB Regional Office handling the petition as soon as possible.

**Filing and Service of Petition** – A party filing an RC, RD or RM petition is required to serve a copy of its petition on the parties named in the petition along with this form and the Statement of Position form. The petitioner files the petition with the NLRB, together with (1) a certificate showing service of these documents on the other parties named in the petition, and (2) a showing of interest to support the petition. The showing of interest is not served on the other parties.

**Notice of Hearing** – After a petition in a certification or decertification case is filed with the NLRB, the NLRB reviews the petition, certificate of service, and the required showing of interest for sufficiency, assigns the petition a case number, and promptly sends letters to the parties notifying them of the Board agent who will be handling the case. In most cases, the letters include a Notice of Representation Hearing. Except in cases presenting unusually complex issues, this pre-election hearing is set for a date 14 business days (excluding weekends and federal holidays) from the date of service of the notice of hearing. Once the hearing begins, it will continue day to day until completed absent extraordinary circumstances. The Notice of Representation Hearing also sets the due date for filing and serving the Statement(s) of Position and the Responsive Statement of Position(s). Included with the Notice of Representation Hearing are the following: (1) copy of the petition, (2) this form, (3) Statement of Position for non-petitioning parties, (4) petitioner's Responsive Statement of Position, (5) Notice of Petition for Election, and (6) letter advising how to contact the Board agent who will be handling the case and discussing those documents.

**Hearing Postponement:** Requests to postpone the hearing are not routinely granted, but the regional director may postpone the hearing for good cause. A party wishing to request a postponement should make the request in writing and set forth in detail the grounds for the request. The request should include the positions of the other parties regarding the postponement. The request must be filed electronically ("E-Filed") on the Agency's website ([www.nlr.gov](http://www.nlr.gov)) by following the instructions on the website. A copy of the request must be served simultaneously on all the other parties, and that fact must be noted in the request.

**Statement of Position Form and List(s) of Employees** – The Statement of Position form solicits commerce and other information that will facilitate entry into election agreements or streamline the pre-election hearing if the parties are unable to enter into an election agreement. In an **RC** or **RD** case, as part of its Statement of Position form, the employer also provides a list of the full names, work locations, shifts, and job classifications of all individuals in the proposed unit. If the employer contends that the proposed unit is not appropriate, the employer must separately list the same information for all individuals that the employer contends must be added to the proposed unit to make it an appropriate unit, and must further indicate those individuals, if any, whom it believes must be excluded from the proposed unit to make it an appropriate unit. These lists must be alphabetized (overall or by department). Unless the employer certifies that it does not possess the capacity to produce the lists in the required form, the lists must be in a table in a Microsoft Word file (.doc or .docx) or a file that is compatible with Microsoft Word, the first column of the table must begin with each employee's last name, and the font size of the list must be the equivalent of Times New Roman 10 or larger. That font does not need to be used but the font must be that size or larger. A sample, optional

form for the list is provided on the NLRB website at [www.nlr.gov/sites/default/files/attachments/basic-page/node-4559/Optional Forms for Voter List.docx](http://www.nlr.gov/sites/default/files/attachments/basic-page/node-4559/Optional Forms for Voter List.docx)

Ordinarily the Statement of Position must be filed with the Regional Office and served on the other parties such that it is received by them by noon 8 business days from the issuance of the Notice of Hearing. The regional director may postpone the due date for filing and serving the Statement of Position for good cause. The Statement of Position form must be E-Filed but, unlike other E-Filed documents, will not be timely if filed on the due date but after noon in the time zone of the Region where the petition is filed. Consequences for failing to satisfy the Statement of Position requirement are discussed on the following page under the heading "Preclusion." A request to postpone the hearing will not automatically be treated as a request for an extension of the Statement of Position due date. If a party wishes to request both a postponement of the hearing and a postponement of the Statement of Position due date, the request must make that clear and must specify the reasons that postponements of both are sought.

**Responsive Statement of Position** – Petitioner's Responsive Statement(s) of Position solicits a response to the Statement(s) of Position filed by the other parties and further facilitates entry into election agreements or streamlines the preelection hearing. A petitioner must file a Responsive Statement of Position in response to each party's Statement of Position addressing each issue in each Statement of Position(s), if desired. In the case of an RM petition, the employer-petitioner must also provide commerce information and file and serve a list of the full names, work locations, shifts, and job classifications of all individuals in the proposed unit. Ordinarily, the Responsive Statement of Position must be electronically filed with the Regional Office and served on the other parties such that it is received by noon 3 business days prior to the hearing. The regional director may postpone the due date for filing and serving the Responsive Statement of Position for good cause. The Responsive Statement of Position form must be E-Filed but, unlike other E-Filed documents, will not be timely if filed on the due date but after noon in the time zone of the Region where the petition is filed. Consequences for failing to satisfy the Responsive Statement of Position requirement are discussed on the following page under the heading "Preclusion." A request to postpone the hearing will not automatically be treated as a request for an extension of the Responsive Statement of Position due date. If a party wishes to request both a postponement of the hearing and a Postponement of the Responsive Statement of Position due date, the request must make that clear and must specify the reasons that postponements of both are sought.

**Posting and Distribution of Notice of Petition for Election** – Within 5 business days after service of the notice of hearing, the employer must post the Notice of Petition for Election in conspicuous places, including all places where notices to employees are customarily posted, and must also distribute it electronically to the employees in the petitioned-for unit if the employer customarily communicates with these employees electronically. The employer must maintain the posting until the petition is dismissed or withdrawn, or the Notice of Petition for Election is replaced by the Notice of Election. The employer's failure properly to post or distribute the Notice of Petition for Election may be grounds for setting aside the election if proper and timely objections are filed.

**Election Agreements** – Elections can occur either by agreement of the parties or by direction of the regional director or the Board. Three types of agreements are available: (1) a Consent Election Agreement (Form NLRB-651); (2) a Stipulated Election Agreement (Form NLRB-652); and (3) a Full Consent Agreement (Form NLRB-5509). In the Consent Election Agreement and the Stipulated Election Agreement, the parties agree on an appropriate unit and the method, date, time, and place of a secret ballot election that will be conducted by an NLRB agent. In the Consent Agreement, the parties also agree that post-election matters (election objections or determinative challenged ballots) will be resolved with finality by the regional director; whereas in the Stipulated Election Agreement, the parties agree that they may request Board review of the regional director's post-election determinations. A Full Consent Agreement provides that the regional director will make final determinations regarding all pre-election and post-election issues.

**Hearing Cancellation Based on Agreement of the Parties** – The issuance of the Notice of Representation Hearing does not mean that the matter cannot be resolved by agreement of the parties. On the contrary, the NLRB encourages prompt voluntary adjustments and the Board agent assigned to the case will work with the parties to enter into an election agreement, so the parties can avoid the time and expense of participating in a hearing.

**Hearing** – A hearing will be held unless the parties enter into an election agreement approved by the regional director or the petition is dismissed or withdrawn.

**Purpose of Hearing:** The primary purpose of a pre-election hearing is to determine if a question of representation exists. A question of representation exists if a proper petition has been filed concerning a unit

appropriate for the purpose of collective bargaining or, in the case of a decertification petition, concerning a unit in which a labor organization has been certified or is being currently recognized by the employer as the bargaining representative.

**Issues at Hearing:** Issues that might be litigated at the pre-election hearing include: jurisdiction; labor organization status; bars to elections; unit appropriateness; expanding and contracting unit issues; inclusion of professional employees with nonprofessional employees; seasonal operation; potential mixed guard/non-guard unit; and eligibility formulas. At the hearing, the timely filed Statement of Position and Responsive Statement of Position(s) will be received into evidence. The hearing officer will not receive evidence concerning any issue as to which the parties have not taken adverse positions, except for evidence regarding the Board's jurisdiction over the employer and evidence concerning any issue, such as the appropriateness of the proposed unit, as to which the regional director determines that record evidence is necessary.

**Preclusion:** At the hearing, a party will be precluded from raising any issue, presenting any evidence relating to any issue, cross-examining any witness concerning any issue, and presenting argument concerning any issue that the party failed to raise in its timely Statement of Position or Responsive Statement of Position(s) or to place in dispute in timely response to another party's Statement of Position or response, except that no party will be precluded from contesting or presenting evidence relevant to the Board's statutory jurisdiction to process the petition. Nor shall any party be precluded, on the grounds that a voter's eligibility or inclusion was not contested at the pre-election hearing, from challenging the eligibility of any voter during the election. If a party contends that the proposed unit is not appropriate in its Statement of Position but fails to specify the classifications, locations, or other employee groupings that must be added to or excluded from the proposed unit to make it an appropriate unit, the party shall also be precluded from raising any issue as to the appropriateness of the unit, presenting any evidence relating to the appropriateness of the unit, cross examining any witness concerning the appropriateness of the unit, and presenting argument concerning the appropriateness of the unit. As set forth in §102.66(d) of the Board's rules, if the employer fails to timely furnish the lists of employees, the employer will be precluded from contesting the appropriateness of the proposed unit at any time and from contesting the eligibility or inclusion of any individuals at the pre-election hearing, including by presenting evidence or argument, or by cross-examination of witnesses.

**Conduct of Hearing:** If held, the hearing is usually open to the public and will be conducted by a hearing officer of the NLRB. Any party has the right to appear at any hearing in person, by counsel, or by other representative, to call, examine, and cross-examine witnesses, and to introduce into the record evidence of the significant facts that support the party's contentions and are relevant to the existence of a question of representation. The hearing officer also has the power to call, examine, and cross-examine witnesses and to introduce into the record documentary and other evidence. Witnesses will be examined orally under oath. The rules of evidence prevailing in courts of law or equity shall not be controlling. Parties appearing at any hearing who have or whose witnesses have disabilities falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.503, and who in order to participate in this hearing need appropriate auxiliary aids, as defined in 29 C.F.R. 100.503, should notify the regional director as soon as possible and request the necessary assistance.

**Official Record:** An official reporter will make the only official transcript of the proceedings and all citations in briefs or arguments must refer to the official record. (Copies of exhibits should be supplied to the hearing officer and other parties at the time the exhibit is offered in evidence.) All statements made at the hearing will be recorded by the official reporter while the hearing is on the record. If a party wishes to make off-the-record remarks, requests to make such remarks should be directed to the hearing officer and not to the official reporter. After the close of the hearing, any request for corrections to the record, either by stipulation or motion, should be forwarded to the regional director.

**Motions and Objections:** All motions must be in writing unless stated orally on the record at the hearing and must briefly state the relief sought and the grounds for the motion. A copy of any motion must be served immediately on the other parties to the proceeding. Motions made during the hearing are filed with the hearing officer. All other motions are filed with the regional director, except that motions made after the transfer of the record to the Board are filed with the Board. If not E-Filed, an original and two copies of written motions shall be filed. Statements of reasons in support of motions or objections should be as concise as possible. Objections shall not be deemed waived by further participation in the hearing. On appropriate request, objections may be permitted to stand to an entire line of questioning. Automatic exceptions will be allowed to all adverse rulings.



**Election Details:** Prior to the close of the hearing the hearing officer will: (1) solicit the parties' positions (but will not permit litigation) on the type, date(s), time(s), and location(s) of the election and the eligibility period; (2) solicit the name, address, email address, facsimile number, and phone number of the employer's on-site representative to whom the regional director should transmit the Notice of Election if an election is directed; (3) inform the parties that the regional director will issue a decision as soon as practicable and will immediately transmit the document to the parties and their designated representatives by email, facsimile, or by overnight mail (if neither an email address nor facsimile number was provided); and (4) inform the parties of their obligations if the director directs an election and of the time for complying with those obligations.

**Oral Argument and Briefs:** Upon request, any party is entitled to a reasonable period at the close of the hearing for oral argument, which will be included in the official transcript of the hearing. At any time before the close of the hearing, any party may file a memorandum addressing relevant issues or points of law. Post-hearing briefs shall be due within 5 business days of the close of the hearing. The hearing officer may allow up to 10 additional business days for such briefs prior to the close of hearing and for good cause. If filed, copies of the memorandum or brief shall be served on all other parties to the proceeding and a statement of such service shall be filed with the memorandum or brief. No reply brief may be filed except upon special leave of the regional director. Briefs including electronic documents, filed with the Regional Director must be formatted as double-spaced in an 8½ by 11 inch format and must be e-filed through the Board's website, [www.nlr.gov](http://www.nlr.gov).

**Regional Director Decision** - After the hearing, the regional director issues a decision directing an election, dismissing the petition or reopening the hearing. A request for review of the regional director's pre-election decision may be filed with the Board at any time after issuance of the decision until 10 business days after a final disposition of the proceeding by the regional director. Accordingly, a party need not file a request for review before the election in order to preserve its right to contest that decision after the election. Instead, a party can wait to see whether the election results have mooted the basis of an appeal. The Board will grant a request for review only where compelling reasons exist therefor.

**Voter List** – The employer must provide to the regional director and the parties named in the election agreement or direction of election a list of the full names, work locations, shifts, job classifications, and contact information (including home addresses, available personal email addresses, and available home and personal cellular ("cell") telephone numbers) of all eligible voters. (In construction industry elections, unless the parties stipulate to the contrary, also eligible to vote are all employees in the unit who either (1) were employed a total of 30 working days or more within the 12 months preceding the election eligibility date or (2) had some employment in the 12 months preceding the election eligibility date and were employed 45 working days or more within the 24 months immediately preceding the election eligibility date. However, employees meeting either of those criteria who were terminated for cause or who quit voluntarily prior to the completion of the last job for which they were employed, are not eligible.) The employer must also include in a separate section of the voter list the same information for those individuals whom the parties have agreed should be permitted to vote subject to challenge or those individuals who, according to the direction of election, will be permitted to vote subject to challenge. The list of names must be alphabetized (overall or by department) and be in the same Microsoft Word file (or Microsoft Word compatible file) format as the initial lists provided with the Statement of Position form unless the parties agree to a different format or the employer certifies that it does not possess the capacity to produce the list in the required form. When feasible, the list must be filed electronically with the regional director and served electronically on the other parties named in the agreement or direction. To be timely filed and served, the voter list must be received by the regional director and the parties named in the agreement or direction respectively within 2 business days after the approval of the agreement or issuance of the direction of elections unless a longer time is specified in the agreement or direction. A certificate of service on all parties must be filed with the regional director when the voter list is filed. The employer's failure to file or serve the list within the specified time or in proper format shall be grounds for setting aside the election whenever proper and timely objections are filed. The parties shall not use the list for purposes other than the representation proceeding, Board proceedings arising from it, and related matters.

**Waiver of Time to Use Voter List** – Under existing NLRB practice, an election is not ordinarily scheduled for a date earlier than 10 calendar days after the date when the employer must file the voter list with the Regional Office. However, the parties entitled to receive the voter list may waive all or part of the 10-day period by executing Form NLRB-4483. A waiver will not be effective unless all parties who are entitled to the list agree to waive the same number of days.

**Election** – Information about the election, requirements to post and distribute the Notice of Election, and possible proceedings after the election is available from the Regional Office and will be provided to the parties when the Notice of Election is sent to the parties.

**Withdrawal or Dismissal** – If it is determined that the NLRB does not have jurisdiction or that other criteria for proceeding to an election are not met, the petitioner is offered an opportunity to withdraw the petition. If the petitioner does not withdraw the petition, the regional director will dismiss the petition and advise the petitioner of the reason for the dismissal and of the right to appeal to the Board.

## **REVIEW THE FOLLOWING IMPORTANT INFORMATION BEFORE FILLING OUT A STATEMENT OF POSITION FORM**

**Completing and Filing this Form:** The Notice of Hearing indicates which parties are responsible for completing the form. If you are required to complete the form, you must have it signed by an authorized representative and file a completed copy (including all attachments) with the RD and serve copies on all parties named in the petition by the date and time established for its submission. If more space is needed for your answers, additional pages may be attached. If you have questions about this form or would like assistance in filling out this form, please contact the Board agent assigned to handle this case. **You must EFile your Statement of Position at [www.nlrb.gov](http://www.nlrb.gov), but unlike other e-Filed documents, it will *not* be timely if filed on the due date but after noon in the time zone of the Region where the petition was filed.**

***Note: Non-employer parties who complete this Statement of Position are NOT required to complete items 8f and 8g of the form, or to provide a commerce questionnaire or the lists described in item 7.***

**Required Lists:** The employer's Statement of Position must include a list of the full names, work locations, shifts, and job classifications of all individuals in the proposed unit as of the payroll period preceding the filing of the petition who remain employed at the time of filing. If the employer contends that the proposed unit is inappropriate, the employer must separately list the full names, work locations, shifts and job classifications of all individuals that it contends must be added to the proposed unit to make it an appropriate unit. The employer must also indicate those individuals, if any, whom it believes must be excluded from the proposed unit to make it an appropriate unit. These lists must be alphabetized (overall or by department). Unless the employer certifies that it does not possess the capacity to produce the lists in the required form, the lists must be in a table in a Microsoft Word file (.doc or .docx) or a file that is compatible with Microsoft Word, the first column of the table must begin with each employee's last name, and the font size of the list must be the equivalent of Times New Roman 10 or larger. That font does not need to be used but the font must be that size or larger. A sample, optional form for the list is provided on the NLRB website at [www.nlrb.gov/sites/default/files/attachments/basic-page/node-4559/Optional Forms for Voter List.docx](http://www.nlrb.gov/sites/default/files/attachments/basic-page/node-4559/Optional%20Forms%20for%20Voter%20List.docx).

**Consequences of Failure to Supply Information:** Failure to supply the information requested by this form may preclude you from litigating issues under 102.66(d) of the Board's Rules and Regulations. Section 102.66(d) provides as follows:

A party shall be precluded from raising any issue, presenting any evidence relating to any issue, cross-examining any witness concerning any issue, and presenting argument concerning any issue that the party failed to raise in its timely Statement of Position or to place in dispute in response to another party's Statement of Position or response, except that no party shall be precluded from contesting or presenting evidence relevant to the Board's statutory jurisdiction to process the petition. Nor shall any party be precluded, on the grounds that a voter's eligibility or inclusion was not contested at the pre-election hearing, from challenging the eligibility of any voter during the election. If a party contends that the proposed unit is not appropriate in its Statement of Position but fails to specify the classifications, locations, or other employee groupings that must be added to or excluded from the proposed unit to make it an appropriate unit, the party shall also be precluded from raising any issue as to the appropriateness of the unit, presenting any evidence relating to the appropriateness of the unit, cross-examining any witness concerning the appropriateness of the unit, and presenting argument concerning the appropriateness of the unit. If the employer fails to timely furnish the lists of employees described in §§102.63(b)(1)(iii), (b)(2)(iii), or (b)(3)(iii), the employer shall be precluded from contesting the appropriateness of the proposed unit at any time and from contesting the eligibility or inclusion of any individuals at the pre-election hearing, including by presenting evidence or argument, or by cross-examination of witnesses.

UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
**STATEMENT OF POSITION**

**DO NOT WRITE IN THIS SPACE**

Case No. 20-RC-278562	Date Filed June 15, 2021
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**INSTRUCTIONS:** Submit this Statement of Position to an NLRB Office in the Region in which the petition was filed and serve it and all attachments on each party named in the petition in this case such that it is received by them by the date and time specified in the notice of hearing.

**Note:** Non-employer parties who complete this form are NOT required to complete items 8f or 8g below or to provide a commerce questionnaire or the lists described in item 7.

1a. Full name of party filing Statement of Position		1c. Business Phone:	1e. Fax No.:
1b. Address (Street and number, city, state, and ZIP code)		1d. Cell No.:	1f. e-Mail Address
2. Do you agree that the NLRB has jurisdiction over the Employer in this case? <input type="checkbox"/> Yes <input type="checkbox"/> No (A completed commerce questionnaire (Attachment A) must be submitted by the Employer, regardless of whether jurisdiction is admitted)			
3. Do you agree that the proposed unit is appropriate? <input type="checkbox"/> Yes <input type="checkbox"/> No (If not, answer 3a and 3b )			
a. State the basis for your contention that the proposed unit is not appropriate. (If you contend a classification should be excluded or included briefly explain why, such as shares a community of interest or are supervisors or guards )			
b. State any classifications, locations, or other employee groupings that must be added to or excluded from the proposed unit to make it an appropriate unit.			
Added		Excluded	
4. Other than the individuals in classifications listed in 3b, list any individual(s) whose eligibility to vote you intend to contest at the pre-election hearing in this case and the basis for contesting their eligibility.			
5. Is there a bar to conducting an election in this case? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, state the basis for your position.			
6. Describe all other issues you intend to raise at the pre-election hearing.			
7. The employer must provide the following lists which must be alphabetized (overall or by department) in the format specified at <a href="http://www.nlr.gov/sites/default/files/attachments/basic-page/node-4559/Optional%20Forms%20for%20Voter%20List.docx">www.nlr.gov/sites/default/files/attachments/basic-page/node-4559/Optional Forms for Voter List.docx</a> . (a) A list containing the full names, work locations, shifts and job classification of all individuals in the proposed unit as of the payroll period immediately preceding the filing of the petition who remain employed as of the date of the filing of the petition. (Attachment B) (b) If the employer contends that the proposed unit is inappropriate the employer must provide (1) a separate list containing the full names, work locations, shifts and job classifications of all individuals that it contends must be <i>added</i> to the proposed unit, if any to make it an appropriate unit, (Attachment C) and (2) a list containing the full names of any individuals it contends must be <i>excluded</i> from the proposed unit to make it an appropriate unit. (Attachment D)			
8a. State your position with respect to the details of any election that may be conducted in this matter. Type: <input type="checkbox"/> Manual <input type="checkbox"/> Mail <input type="checkbox"/> Mixed Manual/Mail			
8b. Date(s)	8c. Time(s)	8d. Location(s)	
8e. Eligibility Period (e.g. special eligibility formula)	8f. Last Payroll Period Ending Date	8g. Length of payroll period <input type="checkbox"/> Weekly <input type="checkbox"/> Biweekly <input type="checkbox"/> Other (specify length)	
<b>9. Representative who will accept service of all papers for purposes of the representation proceeding</b>			
9a. Full name and title of authorized representative	9b. Signature of authorized representative		9c. Date
9d. Address (Street and number, city, state, and ZIP code)			9e. e-Mail Address
9f. Business Phone No.:		9g. Fax No.	9h. Cell No.

**WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. Section 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation proceedings. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (December 13, 2006). The NLRB will further explain these uses upon request. Failure to supply the information requested by this form may preclude you from litigating issues under 102.66(d) of the Board's Rules and Regulations and may cause the NLRB to refuse to further process a representation case or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

## QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

CASE NUMBER  
20-RC-278562

## 1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)

## 2. TYPE OF ENTITY

☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify )

## 3. IF A CORPORATION or LLC

A. STATE OF INCORPORATION  
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

## 4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS

## 5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR

## 6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).

## 7A. PRINCIPAL LOCATION:

## 7B. BRANCH LOCATIONS:

## 8. NUMBER OF PEOPLE PRESENTLY EMPLOYED

A. TOTAL:

B. AT THE ADDRESS INVOLVED IN THIS MATTER:

9. DURING THE MOST RECENT (Check the appropriate box): ☐ CALENDAR ☐ 12 MONTHS or ☐ FISCAL YEAR (FY DATES \_\_\_\_\_)

YES

NO

A. Did you provide services valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.  
\$ \_\_\_\_\_

B. If you answered no to 9A, did you provide services valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided. \$ \_\_\_\_\_

C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$ \_\_\_\_\_

D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$ \_\_\_\_\_

E. If you answered no to 9D, did you sell goods valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$ \_\_\_\_\_

F. Did you purchase and receive goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$ \_\_\_\_\_

G. Did you purchase and receive goods valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$ \_\_\_\_\_

H. Gross Revenues from all sales or performance of services (Check the largest amount)

☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.

I. Did you begin operations within the last 12 months? If yes, specify date: \_\_\_\_\_

## 10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?

☐ YES ☐ NO (If yes, name and address of association or group).

## 11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

## 12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

## REVIEW THE FOLLOWING IMPORTANT INFORMATION BEFORE FILLING OUT A RESPONSIVE STATEMENT OF POSITION FORM

**Completing and Filing this Form:** For **RC and RD petitions**, the Petitioner is required to complete this form in response to each timely filed and served Statement of Position filed by another party. For **RM petitions**, the Employer-Petitioner must complete a Responsive Statement of Position form and submit the list described below. In accordance with Section 102.63(b) of the Board's Rules, if you are required to complete the form, you must have it signed by an authorized representative, and file a completed copy with any necessary attachments, with this office and serve it on all parties named in the petition responding to the issues raised in another party's Statement of Position, such that it is received no later than noon three business days before the date of the hearing. A separate form must be completed for each timely filed and properly served Statement of Position you receive. If more space is needed for your answers, additional pages may be attached. If you have questions about this form or would like assistance in filling out this form, please contact the Board agent assigned to handle this case. **You must E-File your Responsive Statement of Position at [www.NLRB.gov](http://www.NLRB.gov), but unlike other e-Filed documents, it will *not* be timely if filed on the due date but after noon in the time zone of the Region where the petition was filed. Note that if you are completing this form as a PDF downloaded from [www.NLRB.gov](http://www.NLRB.gov), the form will lock upon signature and no further editing may be made.**

**Required List:** In addition to responding to the issues raised in another party's Statement of Position, if any, the Employer-Petitioner in an RM case is required to file and serve on the parties a list of the full names, work locations, shifts, and job classifications of all individuals in the proposed unit as of the payroll period preceding the filing of the petition who remain employed at the time of filing. This list must be alphabetized (overall or by department). Unless the employer certifies that it does not possess the capacity to produce the list in the required form, the list must be in a table in a Microsoft Word file (.doc or .docx) or a file that is compatible with Microsoft Word, the first column of the table must begin with each employee's last name, and the font size of the list must be the equivalent of Times New Roman 10 or larger. That font does not need to be used but the font must be that size or larger. A sample, optional form for the list is provided on the NLRB website at [www.nlr.gov/sites/default/files/attachments/basic-page/node-4559/Optional Forms for Voter List.docx](http://www.nlr.gov/sites/default/files/attachments/basic-page/node-4559/Optional%20Forms%20for%20Voter%20List.docx)

**Consequences of Failure to Submit a Responsive Statement of Position:** Failure to supply the information requested by this form may preclude you from litigating issues under 102.66(d) of the Board's Rules and Regulations. Section 102.66(d) provides as follows:

A party shall be precluded from raising any issue, presenting any evidence relating to any issue, cross-examining any witness concerning any issue, and presenting argument concerning any issue that the party failed to raise in its timely Statement of Position or to place in dispute in response to another party's Statement of Position or response, except that no party shall be precluded from contesting or presenting evidence relevant to the Board's statutory jurisdiction to process the petition. Nor shall any party be precluded, on the grounds that a voter's eligibility or inclusion was not contested at the pre-election hearing, from challenging the eligibility of any voter during the election. If a party contends that the proposed unit is not appropriate in its Statement of Position but fails to specify the classifications, locations, or other employee groupings that must be added to or excluded from the proposed unit to make it an appropriate unit, the party shall also be precluded from raising any issue as to the appropriateness of the unit, presenting any evidence relating to the appropriateness of the unit, cross-examining any witness concerning the appropriateness of the unit, and presenting argument concerning the appropriateness of the unit. If the employer fails to timely furnish the lists of employees described in §§102.63(b)(1)(iii), (b)(2)(iii), or (b)(3)(iii), the employer shall be precluded from contesting the appropriateness of the proposed unit at any time and from contesting the eligibility or inclusion of any individuals at the pre-election hearing, including by presenting evidence or argument, or by cross-examination of witnesses.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
**RESPONSIVE STATEMENT OF POSITION – RC, RD or RM PETITION**

**DO NOT WRITE IN THIS SPACE**

Case No.  
20-RC-278562

Date Filed  
June 15, 2021

**INSTRUCTIONS:** If a party has submitted and served on you a timely Statement of Position to an RC, RD or RM petition, the Petitioner must submit this Responsive Statement of Position to an NLRB Office in the Region in which the petition was filed and serve it and any attachments on each party named in the petition in this case such that it is received by noon local time, three business days prior to the hearing date specified in the Notice of Hearing. A separate form must be completed for each timely filed and properly served Statement of Position received by the Petitioner. The Petitioner-Employer in a RM case is required to file this Responsive Statement of Position and include an appropriate employee list without regard to whether another party has filed a Statement of Position.

This Responsive Statement of Position is filed by the Petitioner in response to a Statement of Position received from the following party:

<b>The Employer</b>	<b>An Intervenor/Union</b>
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1a. Full Name of Party Filing Responsive Statement of Position			
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1c. Business Phone	1d. Cell No.	1e. Fax No.	1f. E-Mail Address
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1b. Address (Street and Number, City, State, and ZIP Code)			
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2. Identify all issues raised in the other party's Statement of Position that you dispute and describe the basis of your dispute:

**a. EMPLOYER NAME/IDENTITY** [Box 1a of Statement of Position Form NLRB-505 and Questionnaire on Commerce Information]

☐ No Dispute (no further response required) ☐ Dispute (response required below)

Response to Statement of Position:

**b. JURISDICTION** [Box 2 of Statement of Position Form NLRB-505 and Questionnaire on Commerce Information]

☐ No Dispute (no further response required) ☐ Dispute (response required below)

Response to Statement of Position:

**c. APPROPRIATENESS OF UNIT** [Boxes 3, 3a and 3b of Statement of Position Form NLRB-505]

☐ No Dispute (no further response required) ☐ Dispute (response required below)

Response to Statement of Position:

**d. INDIVIDUAL ELIGIBILITY** [Box 4 of Statement of Position Form NLRB-505]

☐ No Dispute (no further response required) ☐ Dispute (response required below)

Response to Statement of Position:

**e. BARS TO ELECTION** [Box 5 of Statement of Position Form NLRB-505]

☐ No Dispute (no further response required) ☐ Dispute (response required below)

Response to Statement of Position:

**f. ALL OTHER ISSUES** [Box 6 of Statement of Position Form NLRB-505]

☐ No Dispute (no further response required) ☐ Dispute (response required below)

Response to Statement of Position:

**g. ELECTION DETAILS** [Boxes 8a, 8b, 8c, 8d, 8e, 8f, and 8g of Statement of Position Form NLRB-505]

☐ No Dispute (no further response required) ☐ Dispute (response required below)

Response to Statement of Position:

Full Name and Title of Authorized Representative	Signature of Authorized Representative	Date
--	--	------

**WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. Section 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation proceedings. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. 74942-43 (December 13, 2006). The NLRB will further explain these uses upon request. Failure to supply the information requested by this form may preclude you from litigating issues under 102.66(d) of the Board's Rules and Regulations and may cause the NLRB to refuse to further process a representation case or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

**Please fill all necessary fields on the form PRIOR to digitally signing. To make changes after the form has been signed, right-click on the signature field and click "clear signature." Once complete, please sign the form.**



**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 20**



<b>Mapbox</b>  <b>Employer</b>  <b>and</b>  <b>Communications Workers of America, AFL-CIO</b>  <b>Petitioner</b>	<b>Case 20-RC-278562</b>
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**NOTICE OF REPRESENTATION HEARING**

The Petitioner filed the attached petition pursuant to Section 9(c) of the National Labor Relations Act. It appears that a question affecting commerce exists as to whether the employees in the unit described in the petition wish to be represented by a collective-bargaining representative as defined in Section 9(a) of the Act.

YOU ARE HEREBY NOTIFIED that, pursuant to Sections 3(b) and 9(c) of the Act, at 10:00 AM on **July 6, 2021**, and on consecutive days thereafter until concluded, at the National Labor Relations Board offices located at Natalie P. Allen Memorial Courtroom, 901 Market Street, Suite 400, San Francisco, CA 94103, a hearing will be conducted before a hearing officer of the National Labor Relations Board. At the hearing, the parties will have the right to appear in person or otherwise, and give testimony. **Please note that the hearing date and method of hearing (in person or tele/videoconference) are subject to change as more information becomes available regarding COVID-19. Our offices are currently closed, and if we do not reopen by July 6, the hearing will likely be conducted telephonically or by videoconference.**

YOU ARE FURTHER NOTIFIED that, pursuant to Section 102.63(b) of the Board's Rules and Regulations, Mapbox must complete the Statement of Position and file it and all attachments with the Regional Director and serve it on the parties listed on the petition such that is received by them by no later than **noon** Pacific time on **June 25, 2021**. Following timely filing and service of a Statement of Position by Mapbox, the Petitioner must complete its Responsive Statement of Position(s) responding to the issues raised in the Employer's and/or Union's Statement of Position and file them and all attachments with the Regional Director and serve them on the parties named in the petition such that they are received by them no later than **noon** Pacific on **June 30, 2021**.

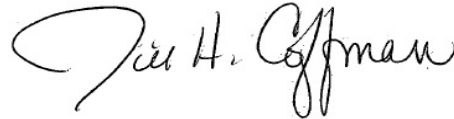
Pursuant to Section 102.5 of the Board's Rules and Regulations, all documents filed in cases before the Agency must be filed by electronically submitting (E-Filing) through the Agency's website ([www.nlrb.gov](http://www.nlrb.gov)), unless the party filing the document does not have access to the means for filing electronically or filing electronically would impose an undue burden.



Documents filed by means other than E-Filing must be accompanied by a statement explaining why the filing party does not have access to the means for filing electronically or filing electronically would impose an undue burden. Detailed instructions for using the NLRB's E-Filing system can be found in the [E-Filing System User Guide](#)

The Statement of Position and Responsive Statement of Position must be E-Filed but, unlike other E-Filed documents, must be filed by **noon** Pacific on the due date in order to be timely. If an election agreement is signed by all parties and returned to the Regional Office before the due date of the Statement of Position, the Statement of Position and Responsive Statement of Position are not required to be filed. If an election agreement is signed by all parties and returned to the Regional office after the due date of the Statement of Position but before the due date of the Responsive Statement of Position, the Responsive Statement of Position is not required to be filed.

Dated: June 15, 2021



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JILL H. COFFMAN  
REGIONAL DIRECTOR  
NATIONAL LABOR RELATIONS BOARD  
REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 20**

**MAPBOX**

**Employer**

**and**

**Case 20-RC-278562**

**COMMUNICATIONS WORKERS OF AMERICA,  
AFL-CIO**

**Petitioner**

**AFFIDAVIT OF SERVICE OF NOTICE OF REPRESENTATION HEARING**

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on **June 15, 2021**, I served the above-entitled document(s) by **electronic mail** upon the following persons.

Melissa Nixon , VP, People  
Mapbox  
50 Beale Street, Floor 9  
San Francisco, CA 94105  
melissa.nixon@mapbox.com

Wesley McEnany  
Communications Workers of America,  
AFL-CIO  
2804 Gateway Oaks Drive, Suite 150  
Sacramento, CA 95833  
wmcenany@cwa-union.org

Christopher M. Foster , ESQ.  
McDermott Will & Emery LLP  
415 Mission Street, Suite 5600  
San Francisco, CA 94105  
cfoster@mwe.com

David A. Rosenfeld , ESQ.  
Weinberg, Roger & Rosenfeld  
1375 55th Street  
Emeryville, CA 94608  
nlrbnotices@unioncounsel.net

David Durham , Esq.  
McDermott Will & Emery LLP  
415 Mission Street, Suite 5600  
San Francisco, CA 94105  
ddurham@mwe.com

June 15, 2021

Date

Donna Gentry, Designated Agent of NLRB

Name

*/s/ Donna Gentry*

Signature

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Mapbox, Inc.

and

CASE 20-RC-278562

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

☐ GENERAL COUNSEL  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF \_\_\_\_\_  
Mapbox, Inc.

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☒ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME: David Durham and Christopher Foster

MAILING ADDRESS: MWE, 415 Mission Street Suite 5600 San Francisco CA 94105

E-MAIL ADDRESS: ddurham@mwe.com, cfoster@mwe.com

OFFICE TELEPHONE NUMBER: (628) 218-3823 (Durham), (628) 218-3826 (Foster)

CELL PHONE NUMBER: \_\_\_\_\_ FAX: 628-218-3900

SIGNATURE: Christopher Foster  
(Please sign in ink.)

DATE: 6/17/21

<sup>1</sup> IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

OFFICIAL REPORT OF PROCEEDINGS  
BEFORE THE  
NATIONAL LABOR RELATIONS BOARD  
REGION 20

In the Matter of:

Mapbox, Inc.,

Case No. 20-RC-278562

Employer,

and

Union Communications Workers of  
America, AFL-CIO,

Petitioner.

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Place: San Francisco, California (Via videoconference)

Dates: July 6, 2021

Pages: 1 through 19

Volume: 1

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Phoenix, AZ 85020  
(602) 263-0885



UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 20

In the Matter of:

MAPBOX, INC.,

Employer,

and

UNION COMMUNICATIONS WORKERS OF  
AMERICA, AFL-CIO,

Petitioner.

Case No. 20-RC-278562

The above-entitled matter came on for hearing via conference call, pursuant to notice, before **SAMUEL J. HOFFMANN**, Hearing Officer, at the National Labor Relations Board, Region 20, 901 Market Street, Suite 400, San Francisco, CA 94103, on **Tuesday, July 6, 2021, 10:21 a.m.**



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**A P P E A R A N C E S**

**On behalf of the Employer:**

**DAVID DURHAM, ESQ.**  
MCDERMOTT, WILL & EMERY, LLP  
415 Mission Street  
Suite 5600  
San Francisco, CA 94105  
Tel. (628)218-3823

**On behalf of the Petitioner:**

**DAVID ROSENFELD, ESQ.**  
WEINBERG, ROGER & ROSENFELD  
1375 55th Street  
Emeryville, CA 94608  
Tel. (510)337-1001

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E X H I B I T S

**EXHIBIT**

**IDENTIFIED**

**IN EVIDENCE**

**Board:**

B-1 (a) through 1 (f)

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B-2

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1                                    P R O C E E D I N G S

2                    HEARING OFFICER HOFFMANN: All right. The hearing will be  
3 in order. This is a formal hearing in the matter of Mapbox,  
4 Inc., case number 20-RC-278562. The hearing officer appearing  
5 for the National Labor Relations Board is Samuel Hoffmann. All  
6 parties have been informed of the procedures at formal hearing  
7 before the Board by services of the description of the  
8 procedures and certification and decertification cases with the  
9 notice of hearing. I have additional copies of this document  
10 for distribution if any party wants more.

11                   Will Counsel please state the appearance for the record  
12 for the Petitioner?

13                   MR. ROSENFELD: Communications Workers of America, David  
14 Rosenfeld of Weinberg, Roger & Rosenfeld, Emeryville,  
15 California.

16                   HEARING OFFICER HOFFMANN: And for the Employer?

17                   MR. DURHAM: The law firm of McDermott, Will & Emery by  
18 David Durham, Syed Man -- Syed Mannan, and Julie McConnell, San  
19 Francisco, California.

20                   HEARING OFFICER HOFFMANN: Are there any other  
21 appearances? Let the record show no response.

22                   Are there any other persons, parties, or labor  
23 organizations in the hearing room who claim an interest in the  
24 proceeding? Let the record show no response.

25                   I now propose to receive the formal papers. They have

1     been marked for identification as Board Exhibit 1.  Actually,  
2     let me just pull that up quick.  Okay.  They have been marked  
3     as Board Exhibit 1(a) through 1(f); inclusive, being in an  
4     index and description of the entire exhibit.  The exhibit has  
5     already been shown to all parties.

6             Are there any objections to the receipt of these exhibits  
7     into the record?

8             MR. DURHAM:  No objection.

9             MR. ROSENFELD:  No objection for the -- no objection for  
10    the Union.

11            MR. DURHAM:  No objection for the Employer.

12            HEARING OFFICER HOFFMANN:  Thank you.

13    **(Board Exhibit Number 1(a) through 1(f) Received into Evidence)**

14            HEARING OFFICER HOFFMANN:  Are there any motions to  
15    intervene in these proceedings to be submitted to the hearing  
16    officer for ruling by the Regional Director at this time?  Let  
17    the record show no response.

18            Are there any pre-hearing motions made by any parties that  
19    need to be addressed at this time?

20            MR. ROSENFELD:  No.

21            HEARING OFFICER HOFFMANN:  Let the record --

22            MR. DURHAM:  Not from us.

23            HEARING OFFICER HOFFMANN:  All right.

24            MR. DURHAM:  Not from us.

25            HEARING OFFICER HOFFMANN:  Okay.  Board Exhibit 2.  So the

1 parties to this proceeding have executed a doc -- or will  
2 execute a document which is marked as Board Exhibit 2. That  
3 exhibit contains a series of stipulations, including, among  
4 other things, that the Petitioner is a labor organization  
5 within the meaning of the Act, that there is no contract bar,  
6 and that the Employer meets the jurisdictional standards of the  
7 Board.

8 Are there any objections to the receipt of Board Exhibit  
9 2?

10 MR. ROSENFELD: No objection for the Union. We agree  
11 with --

12 MR. DURHAM: No objection.

13 MR. ROSENFELD: -- its submission.

14 MR. DURHAM: No objection. We're going to be explaining  
15 certain paragraphs on the record, but no objection to admitting  
16 it into evidence.

17 HEARING OFFICER HOFFMANN: Okay. All right. Hearing no  
18 objections, Board Exhibit 2 is received as evidence.

19 **(Board Exhibit Number 2 Received into Evidence)**

20 HEARING OFFICER HOFFMANN: Okay.

21 Can we go off the record for one moment?

22 (Off the record at 10:25 a.m.)

23 HEARING OFFICER HOFFMANN: Okay. So based on Board  
24 Exhibit 2, the parties have stipulated to a number of items.  
25 The sole remaining issue is the mechanics of the election. The

1 parties will state on the record their position of why either  
2 mail or manual is appropriate or inappropriate.

3 And we will start with Employer counsel.

4 MR. DURHAM: Okay. Thank you.

5 Just a couple of things. One other point regarding -- we  
6 mentioned this off the record -- regarding paragraph 6 of this  
7 proposed stipulated election agreement. The co -- the company  
8 takes the position that personally identifiable information of  
9 employees such as their -- their home addresses, personal email  
10 addresses, home and personal cellular phone numbers are  
11 confidential and should not be disclosed. I realize there are  
12 sections -- sections in the Rules and Regulations that disagree  
13 with me, but we want to make our position clear that we think  
14 that is protected information and should be kept confidential.  
15 So notwithstanding that, I'm -- I am agreeing to every  
16 paragraph of that stipulated election agreement but with that  
17 caveat that I'm reserving that right to argue that.

18 Secondly, regarding the mechanics of the balloting, we  
19 believe that obviously in-person balloting doesn't work here  
20 because people are working remotely. We also don't think the  
21 traditional mail balloting works in this situation and will  
22 result in large numbers of disenfranchised voters. We have a  
23 pandemic in case anybody doesn't notice; people are scattered  
24 to the winds; we don't know where a lot of them are, so you're  
25 going to be mailing ballots to a lot of places where people

1     aren't going to be there to get them. So we are going to  
2     argue, as permitted in paragraph 3, as to what we think the  
3     Region should do to mitigate this problem. And we will put it  
4     in that statement; no need to get into it here. But we're also  
5     going to suggest some common sense and meliorative steps that  
6     the Region could take to at least ensure that there is a full  
7     turnout and people are not disenfranchised. But again, we  
8     will -- we'll -- we'll deal with that in the statement of  
9     position that the Region has permitted the parties to file  
10    after this hearing.

11           MR. ROSENFELD: The -- the Union's response is as follows,  
12    that under the Obama Board, the Board reformed its rules to  
13    require the Employer provide to a Union contact information to  
14    assist the workers in making a decision whether to be  
15    representative. Those are the current rules. And up to date,  
16    there's been no evidence whatsoever submitted to anybody saying  
17    the Union has taken that information and misused it or done  
18    anything other than what was intended to do to make sure that  
19    the election process, as it is, is fair. So we don't think  
20    there's anything wrong with it. In fact, we think that the  
21    Board should allow the Union to have access to the Employer's  
22    property and access to the company's email to campaign just  
23    like the company does; it should be equal access. If the  
24    Employer holds captive audience meetings, our position is we  
25    should be given equal time to do so. I realize the Supreme

1 Court has ruled on that issue, but the Act should be amended to  
2 correct that.

3 The second issue that Mr. Durham raises is the mechanics  
4 of the election. We would like to go back to Joy Silk Mills,  
5 which was an original case in the Board that said when the  
6 Union presents to the Employer demand to be recognized and has  
7 the ability to prove that a majority of the employees have  
8 asked to be represented by the Union, then it's an unfair labor  
9 practice for the Employer to even refuse to deal with the Union  
10 unless it's got some grounds to doubt that the Union has  
11 majority status. Here, there's no doubt. The Union has an  
12 overwhelming majority. In the matter of Joy Silk Mills, the  
13 Employer should be required to recognize the Union because all  
14 they're doing is going to election for delay purposes.

15 And unfortunately, the Trump Board built into the process  
16 additional delay because now we have a hearing, and the  
17 Employer has a right under the Board rules to file in a brief  
18 in seven days. And then if the Region issues a decision  
19 directing election, let's say, in a week, under the Trump Board  
20 rules, the election can't be conducted for 20 days. Under the  
21 prior rules of the Obama Board it was established much quicker.  
22 So we see this as a delay tactic.

23 I just want to be clear that the Union's position is that  
24 someday the Board should authorize electronic voting. We  
25 haven't agreed that that is an appropriate way to vote. Unions

1 use electronic voting internally. In the National Mediation  
2 Board, which runs elections for the airline and railway  
3 industry, and then they belabor it, has for decades used  
4 electronic voting. Electronic voting is used in the commercial  
5 setting -- for example, shareholders vote electronically, so  
6 it's a well-accepted system; it works. Only the Board is sort  
7 of backwards here by not using electronic voting. So we agree  
8 the electronic voting actually makes sense; it's a good way of  
9 doing it.

10 Unfortunately, as the Employer understands, Congress has  
11 specifically, up to this point, prohibited the Board from  
12 conducting elections electronically. The Board can only do it  
13 by manual ballots, meaning in place, or by mail ballots. We're  
14 hoping that the current Congress changes that. We're hoping  
15 that the Congress passes the PRO Act to make organizing better,  
16 but right now we're stuck with a rule that the Board can't  
17 conduct electronic voting.

18 So our position is that although we would welcome it, it  
19 can't happen in this case. And the Employer's really doing  
20 nothing more than stalling because they've got good lawyers and  
21 they understand the Board can't conduct an electronic election.  
22 So by asking to file a position statement and a brief, then  
23 knowing there's a 20-day wait before the election can be  
24 conducted, but just by another month, and they already have  
25 their Union clauses in the workplace. It's another point that



1 we think that if you have an employee that uses Union clauses  
2 to talk to employees, the Union should have equal access and  
3 chance to talk to them also. So our position it's a stall  
4 tactic, although we agree it's a matter of principle that  
5 electronic voting makes some sense.

6 So our position is the only alternative is a mail ballot.  
7 We want the mail ballot to go out as promptly as possible. We  
8 have contact information on virtually many of the workers;  
9 we'll make sure they get their ballots, make sure it's  
10 returned. We think the systems work. We've seen -- I've seen  
11 mail ballot elections you get 70 or 80 percent return; I'm sure  
12 we'll get that much. You see, we have a record turnout  
13 hereof -- it was up to 73 participants; almost 70 workers  
14 joined in; that's almost half the bargaining unit. This is  
15 unheard of. It shows the tremendous interest in being  
16 represented by this group. We think an immediate election  
17 should be conducted by mail, but we understand the rules don't  
18 permit the Employer's using those rules to delay.

19 So that's our position, and I'll probably file something  
20 in addition, but the most important thing is the Region should  
21 be poised to issue a decision of the direction of election on  
22 July 13th. We know exactly what the issue is, the Union's been  
23 stipulated to, the Employer -- we worked out the unit, so  
24 there's no issue except whether to mail or not, and the  
25 Employer isn't arguing for a manual ballot, so we know it's a

1 mail ballot. That decision and direction should issue on July  
2 13th, and the direct election 20 days thereafter. I wish it  
3 would be sooner, but the Board rules don't provide for it. But  
4 I would invite Mapbox to agree that if they do direct a mail  
5 ballot, which is inevitable here, that it be done immediately  
6 rather than wait the 20 days so they could show good trade to  
7 the workers by agreeing to expedite this by agreeing that the  
8 mail ballot could go out sooner. That's our position.

9 MR. DURHAM: Just going -- going to respond on one thing.

10 Of course, seeking a hearing is being done in order to get  
11 a secret ballot election where employees can decide in the --  
12 in the privacy of a voting booth whether they wish to have a  
13 Union or not. It's not a mere technicality. Everybody knows  
14 that authorization cards are not reliable. They're oftentimes  
15 given in situations where the people do not have the full  
16 information in front of them, or there may be  
17 misrepresentations as to what it means, or there may be  
18 misrepresentations regarding who the actual Union is. So there  
19 is no -- have -- the sanctity of the voting booth is critical;  
20 it's a bedrock portion of the National Labor Relations Act,  
21 and -- and we will protect that right.

22 HEARING OFFICER HOFFMANN: Okay.

23 MR. ROSENFELD: It's a strange statement to say that the  
24 workers of Mapbox may -- all of whom are very sophisticated,  
25 smart -- many of them are engineers, they have all sorts of

1 education -- to think that they were misled is -- seems to be  
2 the position management's taking knowing the contrary here, but  
3 I don't think we need to argue about it further. I just want  
4 the election where we'll sit down at the table and bargain a  
5 good contract, so these workers have job protection, benefits,  
6 and other things that Union workers have.

7 HEARING OFFICER HOFFMANN: Okay. Other than the issue of  
8 mechanics, which -- which the parties just stated their  
9 position on, are there any other issues that either party would  
10 like to raise at this time?

11 MR. DURHAM: Other than the ones I mentioned that the PII  
12 should be protected.

13 HEARING OFFICER HOFFMANN: Noted.

14 MR. DURHAM: Okay.

15 HEARING OFFICER HOFFMANN: Okay. Off the record.  
16 (Off the record at 10:41 a.m.)

17 HEARING OFFICER HOFFMANN: All right. The Regional  
18 Director will issue a decision in this matter as soon as  
19 practical, and we'll immediately transmit the document to the  
20 parties and their designated representatives by email,  
21 facsimile, or by overnight mail.

22 Prior to this hearing, the parties were provided with Form  
23 NLRB-5580, a description of the voter list requirements after  
24 hearing and certification, decertification cases, which  
25 explains the Employer's obligation to furnish a voter list

1     should an election be directed in this matter.

2             Any party is entitled upon request to a reasonable period  
3     after the closing of the hearing for oral arguments. Does any  
4     party wish to make such a request at this time?

5             MR. ROSENFELD: Yes.

6             MR. DURHAM: No, I'm going to submit briefs.

7             MR. ROSENFELD: Well, I'm -- I'm reserving the right to do  
8     both, but I'll just make, again, a brief statement that we  
9     asked that the Region issue a decision and direction of  
10    election immediately after filing the briefs -- so that should  
11    be on July 13th -- directing immediate mail ballot election.  
12    We know that's where this is going, and we're willing to waive  
13    the voter list -- at least keeping it after the due date. We  
14    want the -- the ballot should not go after -- can't go out  
15    anyway till after the voter list is supplied. But we also know  
16    the Employer has objected to that; they want the full 20 days.  
17    This is just a delay and stall tactic; they understand that.  
18    But we ask that the Region be poised to issue that decision on  
19    July 13th since there's no issue here. The Regional Director  
20    simply needs to use the format that she's used in the past in  
21    many mail ballot elections, just plug in the dates and those  
22    other things that are done in every other case, and simply drop  
23    the sentence that says that the Employer's position on the  
24    electronic ballot and the Board not authorized to do so. You  
25    can't do it for the reasons that we've -- we've talked about on

1 the record. So that's my -- my position on this thing.

2 HEARING OFFICER HOFFMANN: All right.

3 Any party desiring to submit a brief to the Regional  
4 Director shall be entitled to do so within five business days  
5 after the closing of the hearing. Copies of the brief shall be  
6 served on all other parties to the proceeding, and a statement  
7 of such service shall be filed with the Regional Director  
8 together with the brief. No reply brief may be filed except  
9 upon special permission of the Regional Director. Does any  
10 party wish to waive the filing of the post-hearing briefs?

11 MR. ROSENFELD: No, I -- I don't except --

12 MR. DURHAM: No.

13 MR. ROSENFELD: -- that organizing is seven days a week,  
14 so every day is a business day, so the brief should be due on  
15 July 11th, not July 13th.

16 HEARING OFFICER HOFFMANN: All right.

17 So -- so briefs shall -- shall be due on July 13th. The  
18 parties are reminded that pursuant to Section 102.5 of the  
19 Board's Rules and Regulations, briefs and other case documents  
20 must be filed electronically submitted -- submitting e-filing  
21 through the agency's website [www.nlrb.gov](http://www.nlrb.gov) unless the party  
22 filing the document does not have access to the means for  
23 filing electronically or filing electronically would impose an  
24 undue burden. Briefs or other documents filed by means other  
25 than e-filing must be accompanied by a statement explaining why

1 the filing party does not have access to the means for filing  
2 electronically or filing electronically would im -- impose an  
3 undue burden.

4 Filing a brief or other documents electronically may be  
5 accomplished by using the e-filing system of the Agency's  
6 website at [www.nlrb.gov](http://www.nlrb.gov). Once the website is accessed, click  
7 on E-file Documents, enter the NLRB case number, and follow the  
8 detailed instructions. The responsibility for the receipt of  
9 the documents rests exclusively with the sender. A failure to  
10 timely file the brief will not be excused on the basis that the  
11 transmission could not be accomplished because the Agency's  
12 website was offline or unavailable for some other reason,  
13 absent a determination of technical failure of the site with  
14 notice of such posted on the website.

15 Before closing, I would just like to be certain that the  
16 court reporter has received Board Exhibits 1 and 2?

17 THE COURT REPORTER: I have.

18 MR. ROSENFELD: I'll just note that there will be a  
19 subsequent submission signed by Mr. Durham and myself -- myself  
20 for the Union, Mr. Durham for the Employer, so that'll be the  
21 official Board Exhibit 2 once you get the signed copy back.

22 MR. DURHAM: Correct. That's the July 9th filing.

23 MR. ROSENFELD: No, no, the -- the Board 2.

24 MR. DURHAM: Oh, that's correct. That's correct. Yes,  
25 okay. In addition, there will be the July 9th filing as per



1 paragraph --

2 MR. ROSENFELD: Yes.

3 MR. DURHAM: -- 3 of the stip.

4 MR. ROSENFELD: And Mr. Hearing Officer, I just want to  
5 note again that we have 110 participants. This is a record for  
6 a Board hearing. It is fabulous --

7 MR. DURHAM: It's excellent.

8 MR. ROSENFELD: -- the people are that interested.

9 MR. DURHAM: It's so great.

10 MR. ROSENFELD: Well, let's just have our (indiscernible,  
11 simultaneous speech) election, too.

12 HEARING OFFICER HOFFMANN: Well, thank -- yep, thank  
13 you -- thank you both.

14 MR. ROSENFELD: Thank you.

15 HEARING OFFICER HOFFMANN: So the parties are reminded  
16 that they should request an expedited copy of the transcript  
17 from the court reporter. If there is nothing further, the  
18 hearing will be closed.

19 MR. DURHAM: Also, how do we get in touch with the court  
20 reporter to make the request?

21 HEARING OFFICER HOFFMANN: I'll talk to you after.

22 MR. DURHAM: The court reporter?

23 MR. ROSENFELD: My -- my response --

24 MR. DURHAM: Okay.

25 MR. ROSENFELD: -- is organized.





1 MR. DURHAM: All right. Thanks, everybody.

2 HEARING OFFICER HOFFMANN: If nothing further, the hearing  
3 will be closed. The hearing is now closed.

4 Off the record.

5 **(Whereupon, the hearing in the above-entitled matter was closed**  
6 **at 10:53 a.m.)**

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C E R T I F I C A T I O N

This is to certify that the attached proceedings before the National Labor Relations Board (NLRB), Region 20, Case Number 20-RC-278562, Mapbox, Inc. and Union Communications Workers of America, AFL-CIO, held at the National Labor Relations Board, Region 20, 901 Market Street, Suite 400, San Francisco, CA 94103, on July 6, 2021, at 10:21 a.m. was held according to the record, and that this is the original, complete, and true and accurate transcript that has been compared to the reporting or recording, accomplished at the hearing, that the exhibit files have been checked for completeness and no exhibits received in evidence or in the rejected exhibit files are missing.

*Christopher Kauffmann*

CHRISTOPHER KAUFFMANN

Official Reporter



OFFICIAL REPORT OF PROCEEDINGS  
BEFORE THE  
NATIONAL LABOR RELATIONS BOARD  
REGION 20

In the Matter of:

MAPBOX, INC.,

Case No. 20-RC-278562

Employer,

and

COMMUNICATIONS WORKERS OF  
AMERICA, AFL-CIO,

Petitioner.

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BOARD EXHIBITS

Place: San Francisco, California (via Zoom Videoconference)

Dates: July 6, 2021

OFFICIAL REPORTERS  
eScribers, LLC  
E-Reporting and E-Transcription  
7227 North 16th Street, Suite 207  
Phoenix, AZ 85020  
(602) 263-0885



## INDEX AND DESCRIPTION OF FORMAL DOCUMENTS

Mapbox  
Case 20-RC-278562

Board's Exhibit No.	1(a)	Original Signed Petition dated 6/15/2021
	1(b)	Notice of Representation Hearing, dated 6/15/2021
	1(c)	Affidavit of Service of 1(b), dated 6/15/2021
	1(d)	Employer's Statement of Position, dated 6/25/2021
	1 (e)	Petitioner's Responsive Statement of Position, dated 6/30/2021
	1(f)	Index and Description of Formal Documents

1(f)

EXHIBIT NO. B-1 (f) RECEIVED X REJECTED           

CASE NO 20-RC-278562 CASE NAME Mapbox, Inc.

NO OF PAGES 2 DATE: 7/6/21 REPORTER: C. Kauffmann

**RESPONSIVE STATEMENT OF POSITION - RC, RD or RM PETITION**

**INSTRUCTIONS:** If a party has submitted and served on you a timely Statement of Position to an RC, RD or RM petition, the Petitioner must submit this Responsive Statement of Position to an NLRB Office in the Region in which the petition was filed and serve it and any attachments on each party named in the petition in this case such that it is received by noon local time, three business days prior to the hearing date specified in the Notice of Hearing. A separate form must be completed for each timely filed and properly served Statement of Position received by the Petitioner. The Petitioner-Employer in a RM case is required to file this Responsive Statement of Position and include an appropriate employee list without regard to whether another party has filed a Statement of Position.

This Responsive Statement of Position is filed by the Petitioner in response to a Statement of Position received from the following party:

**The Employer**

Mapbox, Inc.

**An Intervenor/Union****1a. Full Name of Party Filing Responsive Statement of Position**

Communications Workers of America AFL-CIO

**1c. Business Phone****1d. Cell No.**

(617) 620-2831

**1e. Fax No.****1f. E-Mail Address**

wmcenany@cwa-union.org

**1b. Address (Street and Number, City, State and ZIP Code)**

2804 Gateway Oaks Drive, Suite 150 Sacramento, CA 95833

**2. Identify all issues raised in the other party's Statement of Position that you dispute and describe the basis of your dispute:****a. EMPLOYER NAME/IDENTITY** [Box 1a of Statement of Position Form NLRB-505 and Questionnaire on Commerce Information]☒ No Dispute (no further response required) ☐ Dispute (response required below)

Response to Statement of Position:

**b. JURISDICTION** [Box 2 of Statement of Position Form NLRB-505 and Questionnaire on Commerce Information]☒ No Dispute (no further response required) ☐ Dispute (response required below)

Response to Statement of Position:

**c. APPROPRIATENESS OF UNIT** [Boxes 3, 3a and 3b of Statement of Position Form NLRB-505]☐ No Dispute (no further response required) ☒ Dispute (response required below)

Response to Statement of Position:

The IT, security and compliance are not confidential employees. They share a community of interest with the other employees. The facilities assistant/facilities maintenance doesn't share a community of interest.

**d. INDIVIDUAL ELIGIBILITY** [Box 4 of Statement of Position Form NLRB-505]☒ No Dispute (no further response required) ☐ Dispute (response required below)

Response to Statement of Position:

**e. BARS TO ELECTION** [Box 5 of Statement of Position Form NLRB-505]☒ No Dispute (no further response required) ☐ Dispute (response required below)

Response to Statement of Position:

**f. ALL OTHER ISSUES** [Box 6 of Statement of Position Form NLRB-505]☐ No Dispute (no further response required) ☒ Dispute (response required below)

Response to Statement of Position:

Voting should be done by mail, since the Board has not authorized to conduct electronic voting.

**g. ELECTION DETAILS** [Boxes 8a, 8b, 8c, 8d, 8e, 8f, and 8g of Statement of Position Form NLRB-505]☐ No Dispute (no further response required) ☒ Dispute (response required below)

Response to Statement of Position:

Voting should be done by mail, since the Board has not authorized to conduct by electronic voting.

**Full Name and Title of Authorized Representative**

David A. Rosenfeld

**Signature of Authorized Representative****Date**

June 30, 2021

**WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. Section 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation proceedings. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. 74942-43 (December 13, 2006). The NLRB will further explain these uses upon request. Failure to supply the information requested by this form may preclude you from litigating issues under 102.66(d) of the Board's Rules and Regulations and may cause the NLRB to refuse to further process a representation case or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

Please fill all necessary fields on the form PRIOR to digitally signing. To make changes after the form has been signed, right-click on the signature field and click "clear signature." Once complete, please sign the form.

EXHIBIT NO. B-1(e) RECEIVED X REJECTED           

CASE NO 20-RC-278562 CASE NAME Mapbox, Inc.

NO OF PAGES 3 DATE: 7/6/21 REPORTER: C. Kauffmann



**PROOF OF SERVICE  
(CCP §1013)**

I am a citizen of the United States and resident of the State of California. I am employed in the County of Alameda, State of California, in the office of a member of the bar of this Court, at whose direction the service was made. I am over the age of eighteen years and not a party to the within action.

On June 30, 2021, I served the following documents in the manner described below:

**RESPONSIVE STATEMENT OF POSITION**

- ☒ **BY ELECTRONIC SERVICE:** By electronically mailing a true and correct copy through Weinberg, Roger & Rosenfeld's electronic mail system from dtaylor@unioncounsel.net to the email addresses set forth below.

On the following part(ies) in this action:


Melissa N. Nixon  
50 Beale Street, Floor 9  
San Francisco, CA 94105  
Email: [Melissa.nixon@mapbox.com](mailto:Melissa.nixon@mapbox.com)

David Durham  
McDermott Will & Emery LLP  
415 Mission Street, Suite 5600  
San Francisco, CA 94105-2616  
Email: [ddurham@mwe.com](mailto:ddurham@mwe.com)

Chris Foster  
McDermott Will & Emery LLP  
415 Mission Street, Suite 5600, San  
Francisco, CA 94105-2533  
Email: [cfoster@mwe.com](mailto:cfoster@mwe.com)

Sam Hoffman  
Samuel J. Hoffmann  
National Labor Relations Board, Region 20  
Field Examiner  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738  
Email: [Samuel.Hoffmann@nlrb.gov](mailto:Samuel.Hoffmann@nlrb.gov)

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on June 30, 2021, at Emeryville, California.

  
Denise Taylor

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**STATEMENT OF POSITION****DO NOT WRITE IN THIS SPACE**

Case No.

Date Filed

**INSTRUCTIONS:** Submit this Statement of Position to an NLRB Office in the Region in which the petition was filed and serve it and all attachments on each party named in the petition in this case such that it is received by them by the date and time specified in the notice of hearing.

**Note:** Non-employer parties who complete this form are NOT required to complete items 8f or 8g below or to provide a commerce questionnaire or the lists described in item 7.

1a. Full name of party filing Statement of Position: Mapbox, Inc.		1c. Business Phone: 415-483-7878	1e. Fax No.:
1b. Address (Street and number, city, state, and ZIP code): 740 15th Street NW, Suite 500 Washington DC 20005		1d. Cell No.:	1f. e-Mail Address: melissa.nixon@mapbox.com
2. Do you agree that the NLRB has jurisdiction over the Employer in this case? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (A completed commerce questionnaire (Attachment A) must be submitted by the Employer, regardless of whether jurisdiction is admitted)			
3. Do you agree that the proposed unit is appropriate? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If not, answer 3a and 3b.)			
a. State the basis for your contention that the proposed unit is not appropriate. (If you contend a classification should be excluded or included briefly explain why, such as shares a community of interest or are supervisors or guards.) IT, Security and Compliance are confidential employee positions and do not share a community of interest. Facilities Assistant, Spaces is a confidential employee position and does not share a community of interest.			
b. State any classifications, locations, or other employee groupings that must be added to or excluded from the proposed unit to make it an appropriate unit. Added: Excluded: IT, Security and Compliance, Facilities Asst, Spaces Team			
4. Other than the individuals in classifications listed in 3b, list any individual(s) whose eligibility to vote you intend to contest at the pre-election hearing in this case and the basis for contesting their eligibility.			
5. Is there a bar to conducting an election in this case? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, state the basis for your position.			
6. Describe all other issues you intend to raise at the pre-election hearing. Voting should be conducted electronically to enable and facilitate eligible employee participation.			
7. The employer must provide the following lists which must be alphabetized (overall or by department) in the format specified at <a href="http://www.nlr.gov/what-we-do/conduct-elections/representation-case-rules-effective-april-14-2015">http://www.nlr.gov/what-we-do/conduct-elections/representation-case-rules-effective-april-14-2015</a> (a) A list containing the full names, work locations, shifts and job classification of all individuals in the proposed unit as of the payroll period immediately preceding the filing of the petition who remain employed as of the date of the filing of the petition. (Attachment B) (b) If the employer contends that the proposed unit is inappropriate the employer must provide (1) a separate list containing the full names, work locations, shifts and job classifications of all individuals that it contends must be added to the proposed unit, if any to make it an appropriate unit, (Attachment C) and (2) a list containing the full names of all individuals it contends must be excluded from the proposed unit to make it an appropriate unit. (Attachment D).			
8a. State your position with respect to the details of any election that may be conducted in this matter. Type: <input type="checkbox"/> Manual <input type="checkbox"/> Mail <input type="checkbox"/> Mixed Manual/Mail <input checked="" type="checkbox"/> Electronic			
8b. Date(s): August 10, 2021	8c. Time(s): NA	8d. Location(s): NA	
8e. Eligibility Period (e.g. special eligibility formula): no special eligibility formula	8f. Last Payroll Period Ending Date: 6/15/2021	8g. Length of payroll period <input type="checkbox"/> Weekly <input type="checkbox"/> Biweekly <input type="checkbox"/> Other (specify length) Twice monthly	
<b>9. Representative who will accept service of all papers for purposes of the representation proceeding</b>			
9a. Full name and title of authorized representative Melissa Nixon, VP, People		9b. Signature of authorized representative /s/ Melissa Nixon	9c. Date 6-25-21
9d. Address (Street and number, city, state, and ZIP code) Mapbox, Inc., 50 Beale Street, Floor 9, San Francisco CA 94105			9e. e-Mail Address melissa.nixon@mapbox.com
9f. Business Phone No.: 415-483-7878	9g. Fax No.:	9h. Cell No.:	

**WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**  
**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. Section 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation proceedings. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. 74942-43 (December 13, 2006). The NLRB will further explain these uses upon request. Failure to supply the information requested by this form may preclude you from litigating issues under 102.66(d) of the Board's Rules and Regulations and may cause the NLRB to refuse to further process a representation case or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

**Board Exhibit 1(d) 1(d)**

EXHIBIT NO. B-1 (d) RECEIVED X REJECTED           

CASE NO 20-RC-278562 CASE NAME Mapbox, Inc .

NO OF PAGES 26 DATE: 7/6/21 REPORTER: C. Kauffmann

**INITIAL LIST (Filed with Statement of Position)**

**Employer Name:** Mapbox, Inc.

**Case No. 20-RC-278562**

**Attachment B: Employees in Petitioned for Unit**

Employee Name	Work Location	Shift	Job Classification
1. Ackley, Michael	San Francisco, CA	Full-Time: No Set Shift	Business Process Analyst
2. Adiseshan, Tara	Remote	Full-Time: No Set Shift	Software Development Engineer
3. Antonio, T	San Francisco, CA	Full-Time: No Set Shift	Sales Acct Mgr - Direct - New Accts
4. Antony, Mathew	San Francisco, CA	Full-Time: No Set Shift	Product Management Engineer/Mgr
5. Arun Ganesh, Fnu	Washington, DC	Full-Time: No Set Shift	Data Engineer
6. Ashton, Andrew	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
7. Babakanian, Adriana	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
8. Baddley, Aaron	Remote	Full-Time: No Set Shift	Project (Design) Manager
9. Barrales, Stephanie	San Francisco, CA	Full-Time:	Executive Assistant

		No Set Shift	
10. Bemel-Benrud, Saman	San Francisco, CA	Full-Time: No Set Shift	UI/UX Designer
11. Bennehag, Hans	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
12. Bhan, Krishen	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
13. Blech, Ilissa	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
14. Bonilla, Fausto	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
15. Bose, Arindam	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
16. Bourget, Seth	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
17. Boyer, Devin	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
18. Brainerd, Christopher	Washington, DC	Full-Time: No Set Shift	Software Development Engineer

19. Branigan, John	Remote	Full-Time: No Set Shift	Systems Design/Architecture Engineer
20. Brassey, Dominique	San Francisco, CA	Full-Time: No Set Shift	Brand Specialist
21. Breen, Sean	Washington, DC	Full-Time: No Set Shift	Sales Acct Mgr - Direct - New Accts
22. Bremen, Eric	Remote	Full-Time: No Set Shift	Project (Design) Manager
23. Brinkhurst, Marena	San Francisco, CA	Full-Time: No Set Shift	Community Relations Specialist
24. Brooks-Heath, Sooner	Remote	Full-Time: No Set Shift	Strategic Business Developer
25. Burgett, Damon	Remote	Full-Time: No Set Shift	Software Development Engineer
26. Butts, Kuan	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
27. Byler, Kassandra	Remote	Full-Time: No Set Shift	Customer Success Manager
28. Cardamon, Jillian	Washington, DC	Full-Time: No Set Shift	Software Development Engineer

29. Carpino, James	San Francisco, CA	Full-Time: No Set Shift	Technical Support Engineer
30. Chai, Lily	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
31. Channell, Timothy	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
32. Chiu, Dylan	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
33. Chouinard, Dylan	San Francisco, CA	Full-Time: No Set Shift	Sales Acct Mgr - Direct - New Accts
34. Chow, Jenn	Washington, DC	Full-Time: No Set Shift	Customer Success Manager
35. Chow, Nicole	Remote	Full-Time: No Set Shift	Software Development Engineer
36. Cieplinski, Avi	San Francisco, CA	Full-Time: No Set Shift	UI/UX Designer
37. Ciferri, Matthew	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
38. Clark, David	Remote	Full-Time: No Set Shift	Software Development Engineer

39. Clark, Joseph	Remote	Full-Time: No Set Shift	Technical Support Engineer
40. Clark, Ryan	Remote	Full-Time: No Set Shift	Software Development Engineer
41. Cooke, Bailey	San Francisco, CA	Full-Time: No Set Shift	Sales Acct Mgr - Direct - New Accts
42. Cordella, Nicholas	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
43. Cordero, Wyle	Remote	Full-Time: No Set Shift	Customer Success Manager
44. Court, Hazel	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
45. Crossan, Eleanor	Washington, DC	Full-Time: No Set Shift	Sales Acct Mgr - Direct - New Accts
46. Crowley, J	Remote	Full-Time: No Set Shift	Customer Success Manager
47. Danielson, Megan	San Francisco, CA	Full-Time: No Set Shift	Community Relations Specialist
48. DeCorah, Kathryn	Remote	Full-Time: No Set Shift	Software Development Engineer



49. Deuter, Samuel	San Francisco, CA	Full-Time: No Set Shift	Technical Support Engineer
50. Diliberto, Deven	San Francisco, CA	Full-Time: No Set Shift	Technical Support Engineer
51. DiLuca, Kristen	Remote	Full-Time: No Set Shift	Software Development Engineer
52. Draper, Madison	San Francisco, CA	Full-Time: No Set Shift	Event Coordinator
53. Dugan, Sheila	Washington, DC	Full-Time: No Set Shift	Customer Success Manager
54. Eckes, Erica	Washington, DC	Full-Time: No Set Shift	Sales Enablement Professional
55. Emer, Erinç	San Francisco, CA	Full-Time: No Set Shift	Technical Support Engineer
56. Erb, Joshua	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
57. Erikipati, Manohar	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
58. Fader, Sam	Remote	Full-Time: No Set Shift	Customer Success Manager

59. Ficke, Matthew	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
60. Fischer, Eric	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
61. Fu, Duoni	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
62. Gage, Janessa Marie	San Francisco, CA	Full-Time: No Set Shift	Business Process Analyst
63. Ge, Yiyan	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
64. Gearhart, Gary	Remote	Full-Time: No Set Shift	Software Development Engineer
65. Gillies, Sean	Remote	Full-Time: No Set Shift	Software Development Engineer
66. Gladfelter, Todd	San Francisco, CA	Full-Time: No Set Shift	Customer Success Manager
67. Glaser, James	Remote	Full-Time: No Set Shift	Software Development Engineer
68. Gold, David	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer

69. Gooding, Sarah	Remote	Full-Time: No Set Shift	Software Development Engineer
70. Gouyet, Andre	Washington, DC	Full-Time: No Set Shift	Sales Acct Mgr - Direct - New Accts
71. Guardiola Sánchez, Pablo	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
72. Guastini, Corey	Washington, DC	Full-Time: No Set Shift	Systems Design/Architecture Engineer
73. Guerra Soto, Fabian Fermin	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
74. Guillory, Cory	Washington, DC	Full-Time: No Set Shift	Sales Acct Mgr - Direct - New Accts
75. Gupta, Oindrila	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
76. Gutierrez, Rafael	Remote	Full-Time: No Set Shift	Technical Support Engineer
77. Guzman, Alexander	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
78. Hajer, Bilind	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer

79. Hamley, Ryan	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
80. Haubert, Elizabeth	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
81. Heisler, Sofia	Remote	Full-Time: No Set Shift	Software Development Engineer
82. Hershberger, Andrew	Remote	Full-Time: No Set Shift	Software Development Engineer
83. Hess, Towner	San Francisco, CA	Full-Time: No Set Shift	Sales Acct Mgr - Direct - New Accts
84. Ho, Daniel	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
85. Hohn, Lindsay	Remote	Full-Time: No Set Shift	Customer Success Manager
86. Horn, Erica	San Francisco, CA	Full-Time: No Set Shift	Sales Acct Mgr - Direct - New Accts
87. Imfeld, Melanie	Remote	Full-Time: No Set Shift	Software Development Engineer
88. Isaacs, Ian	Remote	Full-Time: No Set Shift	Sales Acct Mgr - Direct - New Accts

89. Jablonski, Matthew	Washington, DC	Full-Time: No Set Shift	Sales Acct Mgr - Direct - New Accts
90. Joshi, Kushan	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
91. Jourdan, Gregory	San Francisco, CA	Full-Time: No Set Shift	Systems Design/Architecture Engineer
92. Judge, Hannah	San Francisco, CA	Full-Time: No Set Shift	Customer Success Manager
93. Kahn, Michael	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
94. Karajgikar, Nishant	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
95. Kejriwal, Abhishek	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
96. Khalsa, Hari Simran	San Francisco, CA	Full-Time: No Set Shift	Technical Support Engineer
97. Khan, Ahmer	San Francisco, CA	Full-Time: No Set Shift	Product Management Engineer/Mgr
98. Kiley, Jordan	Remote	Full-Time: No Set Shift	Software Development Engineer

99. Kimmel, Seth	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
100. Klancer, John	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
101. Kleinman, Daniel	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
102. Knisely, Gregory	Remote	Full-Time: No Set Shift	Software Development Engineer
103. Knoppke-Wetzel, Vanessa	Washington, DC	Full-Time: No Set Shift	UI/UX Designer
104. Kolachalam Chandrasekhar, Aarth	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
105. Kota, Aditya	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
106. Lavandero, Isabelle	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
107. Lee, Yi Shung	San Francisco, CA	Full-Time: No Set Shift	Sales Acct Mgr - Direct - New Accts
108. Lefrak, Charles	Washington, DC	Full-Time: No Set Shift	Software Development Engineer

109.	Lemieux, Mallory	Remote	Full-Time: No Set Shift	Customer Success Manager
110.	Leonard, Patrick	Washington, DC	Full-Time: No Set Shift	Technical Support Engineer
111.	Li, Xiang	Remote	Full-Time: No Set Shift	Software Development Engineer
112.	Liu, Yang	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
113.	Lowe, James	Remote	Full-Time: No Set Shift	Software Development Engineer
114.	Loyd, Charles	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
115.	Ma, Shan	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
116.	Madsen, Kyle	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
117.	Mahoney, Kara	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
118.	Makhun, Maksym	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer

119.	Margolis, Natalia	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
120.	Matthews, Samuel	Remote	Full-Time: No Set Shift	Software Development Engineer
121.	McCann, Kieran	San Francisco, CA	Full-Time: No Set Shift	Sales Acct Mgr - Direct - New Accts
122.	McCoy, Andrew	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
123.	McGinnis, Colleen	San Francisco, CA	Full-Time: No Set Shift	Technical Writer
124.	McGuire, Courtney	Remote	Full-Time: No Set Shift	Strategic Business Developer
125.	McMahon, Kevin	San Francisco, CA	Full-Time: No Set Shift	Business Process Analyst
126.	Mehlhaff, J.P.	San Francisco, CA	Full-Time: No Set Shift	Business Process Analyst
127.	Meyers, Jack	San Francisco, CA	Full-Time: No Set Shift	Sales Acct Mgr - Direct - New Accts
128.	Miles, Zipporah	Washington, DC	Full-Time: No Set Shift	Technical Support Engineer



129.	Miller, Aaron	Remote	Full-Time: No Set Shift	Systems Design/Architecture Engineer
130.	Miller, Alistair	Washington, DC	Full-Time: No Set Shift	Product Management Engineer/Mgr
131.	Miller, Demetri	Remote	Full-Time: No Set Shift	Software Development Engineer
132.	Millspaugh, Ann	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
133.	Miltenberger, Brittany	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
134.	Miluski, Dane	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
135.	Mishra, Lipsa	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
136.	Mistry, Neel	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
137.	Mookerji, Bhaskar	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
138.	Morgan, Emily	Washington, DC	Full-Time: No Set Shift	Sales Acct Mgr - Direct - New Accts

139.	Morris, William	Remote	Full-Time: No Set Shift	Software Development Engineer
140.	Moy, Maria	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
141.	Naaji, Karim	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
142.	Nachmany, Yehonathan	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
143.	New, Jonathan	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
144.	Ng, Virginia	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
145.	Nguyen, Minh	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
146.	Nottingham, Jennifer	San Francisco, CA	Full-Time: No Set Shift	Customer Success Manager
147.	O'Leary, Sean	Washington, DC	Full-Time: No Set Shift	Sales Acct Mgr - Direct - New Accts
148.	O'Reilly, Elise	Remote	Full-Time: No Set Shift	Sales Operations Analyst

149.	Oh, Jonah	Remote	Full-Time: No Set Shift	Technical Support Engineer
150.	Paganin, Sofia	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
151.	Park, Andrea	Remote	Full-Time: No Set Shift	Software Development Engineer
152.	Parlato, Alexander	Remote	Full-Time: No Set Shift	Software Development Engineer
153.	Patterson, Daniel	Remote	Full-Time: No Set Shift	Software Development Engineer
154.	Pazoles, Matthew	Remote	Full-Time: No Set Shift	Customer Success Manager
155.	Pietka, Scott	San Francisco, CA	Full-Time: No Set Shift	Customer Success Manager
156.	Pleasanton, William	Remote	Full-Time: No Set Shift	Software Development Engineer
157.	Pleban, Ori	Remote	Full-Time: No Set Shift	Customer Success Manager
158.	Polay, Jon	Remote	Full-Time: No Set Shift	Sales Acct Mgr - Direct - New Accts

159.	Pruitt, Jacob	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
160.	Prukop, Dave	Remote	Full-Time: No Set Shift	UI/UX Designer
161.	Quinn, Erin	Remote	Full-Time: No Set Shift	Technical Support Engineer
162.	Reusser, Ricky	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
163.	Rex, Julian	Remote	Full-Time: No Set Shift	Software Development Engineer
164.	Rice, Rebecca	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
165.	Rickles, Julia	Washington, DC	Full-Time: No Set Shift	UI/UX Designer
166.	Rieth, James	Washington, DC	Full-Time: No Set Shift	Customer Success Manager
167.	Robertson, Michael	Remote	Full-Time: No Set Shift	Customer Success Manager
168.	Robinson, Christine	Washington, DC	Full-Time: No Set Shift	Customer Success Manager

169.	Roohi, Sherbonno	San Francisco, CA	Full-Time: No Set Shift	Sales Operations Analyst
170.	Rosengarten, Maia	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
171.	Rossi, Alessandro	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
172.	Roth, Alexander	Washington, DC	Full-Time: No Set Shift	Technical Support Engineer
173.	Ryu, Tong Sun	Remote	Full-Time: No Set Shift	Software Development Engineer
174.	Sandhu, Mandeep	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
175.	Scallion, Nicholas	Washington, DC	Full-Time: No Set Shift	Sales Acct Mgr - Direct - New Accts
176.	Schulze, Diane	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
177.	Schwartz, Eric	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
178.	Scott, Heather	Washington, DC	Full-Time: No Set Shift	Software Development Engineer

179. Seppi, James	Remote	Full-Time: No Set Shift	Software Development Engineer
180. Severson, Andrew	Washington, DC	Full-Time: No Set Shift	Product Management Engineer/Mgr
181. Shivvers, Isaac	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
182. Shomail Shushtari, Shabnam	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
183. Shukla, Sandeep	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
184. Shulman, Benjamin	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
185. Singla, Amisha	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
186. Skvaril, Julia	San Francisco, CA	Full-Time: No Set Shift	Sales Acct Mgr - Direct - New Accts
187. Smoliar, Ariel	San Francisco, CA	Full-Time: No Set Shift	Product Management Engineer/Mgr
188. Springmeyer, Dane	Remote	Full-Time: No Set Shift	Software Development Mgmt

189.	Stenson, Heather	San Francisco, CA	Full-Time: No Set Shift	Technical Writer
190.	Stratman, Jeremy	San Francisco, CA	Full-Time: No Set Shift	Customer Success Manager
191.	Sura, Harsha	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
192.	Suresh, Pranav	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
193.	Sylak-Glassman, John	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
194.	Szabadi, Zoltan	Remote	Full-Time: No Set Shift	Head of Global Alliances
195.	Tatterson, Kevin	Remote	Full-Time: No Set Shift	Software Development Engineer
196.	Taylor, Kelsey	Washington, DC	Full-Time: No Set Shift	UI/UX Designer
197.	Tekwani, Bhavika	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
198.	Titievsky, Gregory	Remote	Full-Time: No Set Shift	Software Development Engineer

199.	Valenzuela, Orianna	San Francisco, CA	Full-Time: No Set Shift	UI/UX Engineer
200.	Van Drunen, Joseph	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
201.	Walker, Allan	San Francisco, CA	Full-Time: No Set Shift	Systems Design/Architecture Engineer
202.	Ward, Celina	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
203.	Ward, Lori	Remote	Full-Time: No Set Shift	Sales Acct Mgr - Direct - New Accts
204.	Webb, Jordan	Remote	Full-Time: No Set Shift	Technical Support Engineer
205.	White, Megan	San Francisco, CA	Full-Time: No Set Shift	Technical Support Engineer
206.	Wiede, Andreas	Washington, DC	Full-Time: No Set Shift	Software Development Engineer
207.	Woloszynski, Samantha	Remote	Full-Time: No Set Shift	Product Management Engineer/Mgr
208.	Wood-Santoro, Mallory	San Francisco, CA	Full-Time: No Set Shift	Technical Support Engineer



209.	Yadav, Pratik	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer
210.	Yang-Hicks, Sunny	Washington, DC	Full-Time: No Set Shift	Product Management Engineer/Mgr
211.	Yrigoyen Capilla, Juan	San Francisco, CA	Full-Time: No Set Shift	Product Management Engineer/Mgr
212.	Yule, Alexander	San Francisco, CA	Full-Time: No Set Shift	Community Relations Specialist
213.	Zheng, Xue Ying	San Francisco, CA	Full-Time: No Set Shift	Software Development Engineer

**INITIAL LIST (Filed with Statement of Position)**

**Employer Name:** Mapbox, Inc.

**Case No. 20-RC-278562**

**Attachment C: Employees to be Added to Petitioned-for Unit:**

N/A

**Attachment D: Names of Employees to be Excluded from Petitioned-for Unit**

Employee Name (position)
1. Ayres, Evan (Facilities Assistant, Spaces Team)
2. Hill, Christian (IT Support Specialist)
3. Johnson, Cole (IT Support Specialist)
4. Lin, Jacob (Software Development Engineer, Security)
5. Specht, Trevor (IT Support Specialist)

**Mapbox, 20-RC-278562**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on 6/25/21 before 12:00 pm pacific, the Employer in the above-referenced matter served on Petitioner (Communications Workers of America, AFL-CIO) by email to [wmcenany@cwa-union.org](mailto:wmcenany@cwa-union.org) and [nlrbnotices@unioncounsel.net](mailto:nlrbotices@unioncounsel.net) the Employer's Statement of Position with required attachments including lists of employees in accordance with Section 102.63(b) of the Board's Rules.

/s/ Christopher M. Foster 6/25/21

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 20**

**MAPBOX**

**Employer**

**and**

**Case 20-RC-278562**

**COMMUNICATIONS WORKERS OF AMERICA,  
AFL-CIO**

**Petitioner**

**AFFIDAVIT OF SERVICE OF NOTICE OF REPRESENTATION HEARING**

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on **June 15, 2021**, I served the above-entitled document(s) by **electronic mail** upon the following persons.

Melissa Nixon , VP, People  
Mapbox  
50 Beale Street, Floor 9  
San Francisco, CA 94105  
melissa.nixon@mapbox.com

Wesley McEnany  
Communications Workers of America,  
AFL-CIO  
2804 Gateway Oaks Drive, Suite 150  
Sacramento, CA 95833  
wmcenany@cwa-union.org

Christopher M. Foster , ESQ.  
McDermott Will & Emery LLP  
415 Mission Street, Suite 5600  
San Francisco, CA 94105  
cfoster@mwe.com

David A. Rosenfeld , ESQ.  
Weinberg, Roger & Rosenfeld  
1375 55th Street  
Emeryville, CA 94608  
nlrbnotices@unioncounsel.net

David Durham , Esq.  
McDermott Will & Emery LLP  
415 Mission Street, Suite 5600  
San Francisco, CA 94105  
ddurham@mwe.com

June 15, 2021

Date

Donna Gentry, Designated Agent of NLRB

Name

*/s/ Donna Gentry*

Signature

EXHIBIT NO. B-1(c) RECEIVED X REJECTED           

CASE NO 20-RC-278562 CASE NAME Mapbox, Inc.

NO OF PAGES 2 DATE: 7/6/21 REPORTER: C. Kauffmann



**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 20**



<b>Mapbox</b>  <b>Employer</b>  <b>and</b>  <b>Communications Workers of America, AFL-CIO</b>  <b>Petitioner</b>	<b>Case 20-RC-278562</b>
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**NOTICE OF REPRESENTATION HEARING**

The Petitioner filed the attached petition pursuant to Section 9(c) of the National Labor Relations Act. It appears that a question affecting commerce exists as to whether the employees in the unit described in the petition wish to be represented by a collective-bargaining representative as defined in Section 9(a) of the Act.

YOU ARE HEREBY NOTIFIED that, pursuant to Sections 3(b) and 9(c) of the Act, at 10:00 AM on **July 6, 2021**, and on consecutive days thereafter until concluded, at the National Labor Relations Board offices located at Natalie P. Allen Memorial Courtroom, 901 Market Street, Suite 400, San Francisco, CA 94103, a hearing will be conducted before a hearing officer of the National Labor Relations Board. At the hearing, the parties will have the right to appear in person or otherwise, and give testimony. **Please note that the hearing date and method of hearing (in person or tele/videoconference) are subject to change as more information becomes available regarding COVID-19. Our offices are currently closed, and if we do not reopen by July 6, the hearing will likely be conducted telephonically or by videoconference.**

YOU ARE FURTHER NOTIFIED that, pursuant to Section 102.63(b) of the Board's Rules and Regulations, Mapbox must complete the Statement of Position and file it and all attachments with the Regional Director and serve it on the parties listed on the petition such that is received by them by no later than **noon** Pacific time on **June 25, 2021**. Following timely filing and service of a Statement of Position by Mapbox, the Petitioner must complete its Responsive Statement of Position(s) responding to the issues raised in the Employer's and/or Union's Statement of Position and file them and all attachments with the Regional Director and serve them on the parties named in the petition such that they are received by them no later than **noon** Pacific on **June 30, 2021**.

Pursuant to Section 102.5 of the Board's Rules and Regulations, all documents filed in cases before the Agency must be filed by electronically submitting (E-Filing) through the Agency's website ([www.nlrb.gov](http://www.nlrb.gov)), unless the party filing the document does not have access to the means for filing electronically or filing electronically would impose an undue burden.

EXHIBIT NO. B-1 (b) RECEIVED X REJECTED           

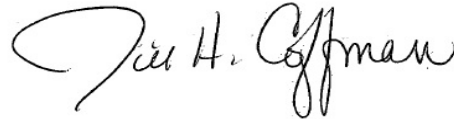
CASE NO 20-RC-278562 CASE NAME Mapbox, Inc .

NO OF PAGES 3 DATE: 7/6/21 REPORTER: C. Kauffmann

Documents filed by means other than E-Filing must be accompanied by a statement explaining why the filing party does not have access to the means for filing electronically or filing electronically would impose an undue burden. Detailed instructions for using the NLRB's E-Filing system can be found in the [E-Filing System User Guide](#)

The Statement of Position and Responsive Statement of Position must be E-Filed but, unlike other E-Filed documents, must be filed by **noon** Pacific on the due date in order to be timely. If an election agreement is signed by all parties and returned to the Regional Office before the due date of the Statement of Position, the Statement of Position and Responsive Statement of Position are not required to be filed. If an election agreement is signed by all parties and returned to the Regional office after the due date of the Statement of Position but before the due date of the Responsive Statement of Position, the Responsive Statement of Position is not required to be filed.

Dated: June 15, 2021



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JILL H. COFFMAN  
REGIONAL DIRECTOR  
NATIONAL LABOR RELATIONS BOARD  
REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738



UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**RC PETITION**

DO NOT WRITE IN THIS SPACE

Case No.

20-RC-278562

Date Filed

6/15/2021

**INSTRUCTIONS:** Unless e-Filed using the Agency's website, [www.nlr.gov/](http://www.nlr.gov/), submit an original of this Petition to an NLRB office in the Region in which the employer concerned is located. The petition must be accompanied by both a showing of interest (see 6b below) and a certificate of service showing service on the employer and all other parties named in the petition of: (1) the petition; (2) Statement of Position form (Form NLRB-505); and (3) Description of Representation Case Procedures (Form NLRB 4812). The showing of interest should only be filed with the NLRB and should not be served on the employer or any other party.

**1. PURPOSE OF THIS PETITION: RC-CERTIFICATION OF REPRESENTATIVE** - A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner and Petitioner desires to be certified as representative of the employees. The Petitioner alleges that the following circumstances exist and requests that the National Labor Relations Board proceed under its proper authority pursuant to Section 9 of the National Labor Relations Act.

<b>2a. Name of Employer:</b> Mapbox		<b>2b. Address(es) of Establishment(s) involved (Street and number, City, State, ZIP code):</b> 50 Beale Street, Floor 9, San Francisco, CA 94105	
<b>3a. Employer Representative - Name and Title:</b> Melissa Nixon – VP, People		<b>3b. Address (if same as 2b - state same):</b> Same	
<b>3c. Tel. No.</b> (206) 351-8326	<b>3d. Cell No.</b>	<b>3e. Fax No.</b> (302) 347-5281	<b>3f. E-Mail Address</b> <a href="mailto:Melissa.nixon@mapbox.com">Melissa.nixon@mapbox.com</a>
<b>4a. Type of Establishment (Factory, mine, wholesaler, etc.)</b> Computer Applications		<b>4b. Principal Product or Service</b> Computer applications	<b>5a. City and State where unit is located:</b> San Francisco, CA
<b>5b. Description of Unit Involved:</b> <b>Included:</b> All employees, including community team and spaces team <b>Excluded:</b> Legal Dept., People Dept., Finance Dept., office clerical employees, supervisors, guards and all independent contractors.			<b>6a. Number of Employees in Unit:</b> 220
<b>Check One:</b> <input checked="" type="checkbox"/> <b>7a. Request for recognition as Bargaining Representative was made on (Date)</b> <u>By this petition</u> <b>and Employer declined recognition</b> on or about (Date) (If no reply received, so state). <input type="checkbox"/> <b>7b. Petitioner is currently recognized as Bargaining Representative and desires certification under the Act.</b>			<b>6b. Do a substantial number (30% or more) of the employees in the unit wish to be represented by the Petitioner?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>8a. Name of Recognized or Certified Bargaining Agent (If none, so state)</b> None		<b>8b. Address:</b>	
<b>8c. Tel. No.</b>	<b>8d. Cell No.</b>	<b>8e. Fax No.</b>	<b>8f. E-Mail Address</b>
<b>8g. Affiliation, if any:</b>		<b>8h. Date of Recognition or Certification</b>	<b>8i. Expiration Date of Current or Most Recent Contract, if any (Month, Day, Year)</b>
<b>9. Is there now a strike or picketing at the Employer(s) establishment(s) involved?</b> <b>NO</b> If so, approximately how many employees are participating? (Name of Labor Organization) , has picketed the Employer since (Month, Day, Year)			
<b>10. Organizations or individuals other than Petitioner and those named in items 8 and 9, which have claimed recognition as representatives and other organizations and individuals known to have a representative interest in any employees in the unit described in item 5b above. (If none, so state)</b> None			
<b>10a. Name</b>	<b>10b. Address</b>	<b>10c. Tel. No.</b>	<b>10d. Cell No.</b>
		<b>10e. Fax No.</b>	<b>10f. E-Mail Address</b>
<b>11. Election Details:</b> If the NLRB conducts and election in this matter, state your position with respect to any such election:			<b>11a. Election Type:</b> <input type="checkbox"/> Manual <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Mixed Manual/Mail
<b>11b. Election Date(s):</b> Ballots to be mailed 2 weeks after petition is filed		<b>11c. Election Time(s):</b> n/a mail ballot	<b>11d. Election Location(s):</b> n/a mail ballot
<b>12a. Full Name of Petitioner (including local name and number):</b> Communications Workers of America AFL-CIO		<b>12b. Address (street and number, city, State and ZIP code):</b> 2804 Gateway Oaks Drive, Suite 150 Sacramento, CA 95833	
<b>12c. Full name of national or international labor organization of which Petitioner is an affiliate or constituent (if none, so state):</b> Communications Workers of American AFL-CIO			
<b>12d. Tel. No.</b>	<b>12e. Cell No.</b> (617) 620-2831	<b>12f. Fax No.</b>	<b>12g. E-Mail Address</b> <a href="mailto:wmcenany@cwa-union.org">wmcenany@cwa-union.org</a>
<b>13. Representative of the Petitioner who will accept service of all papers for purposes of the representation proceeding.</b>			
<b>13a. Name and Title:</b> David A. Rosenfeld, Attorney		<b>13b. Address (street and number, city, State and ZIP code):</b> Weinberg, Roger & Rosenfeld 1375 55 <sup>th</sup> Street Emeryville, CA 94608-2609	
<b>13c. Tel. No.</b> 510-337-1001	<b>13d. Cell No.</b>	<b>13e. Fax No.</b> 510-337-1023	<b>13f. E-Mail Address</b> <a href="mailto:nlrbnotices@unioncounsel.net">nlrbnotices@unioncounsel.net</a>
I declare that I have read the above petition and that the statements are true to the best of my knowledge and belief.			
<b>Name (Print)</b> David A. Rosenfeld	<b>Signature</b> <i>David A. Rosenfeld</i>	<b>Title</b> Attorney	<b>Date</b> 6/15/2021

WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT 1\1179205

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Board Exhibit 1(a) 1(a)

EXHIBIT NO. B-1(a) RECEIVED X REJECTED           

CASE NO 20-RC-278562 CASE NAME Mapbox, Inc.

NO OF PAGES 2 DATE: 7/6/21 REPORTER: C. Kauffmann

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**STIPULATED ELECTION AGREEMENT**

**Mapbox, Inc.**

**Case 20-RC-278562**

The parties **AGREE AS FOLLOWS:**

**1. COMMERCE.** The Employer is engaged in commerce within the meaning of Section 2(6) and (7) of the National Labor Relations Act and a question affecting commerce has arisen concerning the representation of employees within the meaning of Section 9(c).

The Employer, Mapbox, Inc., a Delaware corporation is engaged in the business of operating a mapping and location cloud platform. During the past 12 months, a representative period, the Employer, in the course and conduct of its business operations, purchased and received goods or services valued in excess of \$50,000 directly from suppliers located outside the State of California.

**2. LABOR ORGANIZATION.** The Petitioner is an organization in which employees participate, and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work and is a labor organization within the meaning of Section 2(5) of the Act.

**3. ELECTION.** A secret-ballot election under the Board's Rules and Regulations shall be held under the supervision of the Regional Director. On or before July 9, 2021, the parties will submit position statements and all supporting evidence regarding their preferred method for voting at their preferred times, date, and location(s). The Regional Director will carefully consider the parties' positions and evidence and, based thereon, choose the appropriate method for voting, consistent with NLRB case law. If the election and/or count is postponed or canceled, the Regional Director, in his or her discretion, may reschedule the date, time, and place of the election.

**4. UNIT AND ELIGIBLE VOTERS.** The following unit is appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act:

All full-time and regular part-time Business Process Analysts, Software Development Engineers, Sales Account Managers, Product Management Engineers/Managers, Project Managers, Executive Assistants, UI/UX Designers, Systems Design/Architecture Engineers, Brand Specialists, Community Relations Specialists, Strategic Business Developers, Customer Success Managers, Technical Support Engineers, Event Coordinators, Sales Enablement Professionals, Business Process Analysts, Technical Writers, Sales Operations Analysts, Data Engineers, and Head of Global Alliances employed by the Employer; **excluding**, Facilities Assistants on the Spaces Team, Legal Department, People Department, Finance Department, Office Clerical employees, Supervisors, Guards, and Independent Contractors.

Those eligible to vote in the election are employees in the above unit who were employed during the **payroll period ending June 15, 2021**, including employees who did not work during that period because they were ill, on vacation, or were temporarily laid off.

Also eligible to vote are all employees in the unit who have worked an average of four (4) hours or more per week during the 13 weeks immediately preceding the eligibility date for the election.

Initials: \_\_\_\_\_

EXHIBIT NO. B-2 RECEIVED X REJECTED           

CASE NO 20-RC-278562 CASE NAME Mapbox, Inc.

NO OF PAGES 4 DATE: 7/6/21 REPORTER: C. Kauffmann

Employees engaged in any economic strike, who have retained their status as strikers and who have not been permanently replaced are also eligible to vote. In addition, employees engaged in an economic strike which commenced less than 12 months before the election date, who have retained their status as strikers but who have been permanently replaced, as well as their replacements are eligible to vote. Employees who are otherwise eligible but who are in the military services of the United States may vote if they appear in person at the polls or by mail as described above in paragraph 4.

Ineligible to vote are (1) employees who have quit or been discharged for cause after the designated payroll period for eligibility, (2) employees engaged in a strike who have been discharged for cause since the commencement thereof and who have not been rehired or reinstated before the election date, and (3) employees engaged in an economic strike which began more than 12 months before the election date who have been permanently replaced.

**Others permitted to vote:** The parties have agreed that Information Technicians (IT), specifically, Software Development Engineer-Security and IT Support Specialists may vote in the election but their ballots will be challenged since their eligibility has not been resolved. No decision has been made regarding whether the individuals in these classifications or groups are included in, or excluded from, the bargaining unit. The eligibility or inclusion of these individuals will be resolved, if necessary, following the election.

**5. VOTER LIST.** Within 2 business days after the Regional Director has approved this Agreement, the Employer must provide to the Regional Director and all of the other parties a voter list of the full names, work locations, shifts, job classifications, and contact information (including home addresses, available personal email addresses, and available personal home and cellular telephone numbers) of all eligible voters. The Employer must also include, in a separate section of that list, the same information for those individuals whom the parties have agreed should be permitted to vote subject to challenge. The list must be filed in common, everyday electronic file formats that can be searched. Unless otherwise agreed to by the parties, the list must be provided in a table in a Microsoft Word file (.doc or docx) or a file that is compatible with Microsoft Word (.doc or docx). The first column of the list must begin with each employee's last name and the list must be alphabetized (overall or by department) by last name. The font size of the list must be the equivalent of Times New Roman 10 or larger. That font does not need to be used but the font must be that size or larger. When feasible, the list must be filed electronically with the Regional Director and served electronically on the parties. The Employer must file with the Regional Director a certificate of service of the list on all parties.

**6. THE BALLOT.** The Regional Director, in his or her discretion, will decide the language(s) to be used on the election ballot. All parties should notify the Region as soon as possible of the need to have the Notice of Election and/or ballots translated.

The question on the ballot will be "Do you wish to be represented for purposes of collective bargaining by Communications Workers of America, AFL-CIO?" The choices on the ballot will be "Yes" or "No".

**7. NOTICE OF ELECTION.** The Regional Director, in his or her discretion, will decide the language(s) to be used on the Notice of Election. The Employer must post copies of the Notice of Election in conspicuous places, including all places where notices to employees in the unit are customarily posted, at least three (3) full working days prior to 12:01 a.m. of the day the ballots are mailed to employees. The Employer must also distribute the Notice of Election electronically, if the Employer customarily communicates with employees in the unit electronically. Failure to post or distribute the Notice of Election as required shall be grounds for setting aside the election whenever proper and timely objections are filed.

Initials: \_\_\_\_\_

**8. ACCOMMODATIONS REQUIRED.** All parties should notify the Region as soon as possible of any voters, potential voters, or other participants in this election who have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.503, and who in order to participate in the election need appropriate auxiliary aids, as defined in 29 C.F.R. 100.503, and request the necessary assistance.

**9. OBSERVERS.** Each party may station an equal number of authorized, nonsupervisory-employee observers at the polling places to assist in the election, to challenge the eligibility of voters, and to verify the tally. Each party may designate an observer or observers to participate in the count, including challenging the eligibility of voters.

**10. TALLY OF BALLOTS.** Upon conclusion of the election, the ballots will be counted and a tally of ballots prepared and immediately made available to the parties.

**11. POSTELECTION AND RUNOFF PROCEDURES.** All procedures after the ballots are counted shall conform with the Board's Rules and Regulations.

**Mapbox, Inc.**

(Employer)

**By:**

(Signature)

(Date)

**Print Name:**

**Communications Workers of America, AFL-CIO**

(Petitioner)

**By:**

(Signature)

(Date)

**Print Name:**

**Recommended:**

SAMUEL J. HOFFMANN, Field Examiner  
(Date)

**Date approved:**

\_\_\_\_\_  
**Regional Director, Region 20**  
**National Labor Relations Board**



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July 12, 2021

Regional Director  
National Labor Relations Board, Region 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

**Re: Mapbox, Inc.  
Case 20-RC-278562**

Dear Regional Director:

The Petitioner asks the Region to recognize the employer's tactic as nothing more than an abusive stall tactic regarding election the elections.

The parties completely stipulated as to commerce, labor organization status and every facet of conducting a prompt election. Nonetheless, the employer insisted on presenting and arguing a frivolous argument that the election should be conducted electronically knowing full well that Congress has prohibited such electronic elections. It argued an unlawful position. It is prohibited by Congressional action.

The Petitioner agrees that someday the Board should conduct representation elections electronically. The National Mediation Board does it. Corporations do it. Unions do it under the supervision of the Department of Labor. It makes sense. But at this point, the argument is improper and dishonest because the employer well knows that Congress has foreclosed the Board from conducting electronic elections.

The undeniable purpose of this tactic of forcing this to hearing is to delay the election. The employer knows that it will delay the election because it is insisting on the maximum time to file a brief. The employer knows that under the current Board rules the election cannot be conducted until 20 days have elapsed from the date the Decision and Direction of Election is issued. Thus, effectively the employer has now bought an extra month of time in which to campaign and terrorize the workers.

We ask that the Regional Director prepare a Decision and Direction of Election so that it is issued the day the briefs are filed. There is nothing in the rules that prohibits the Regional Director from issuing the Decision and Direction of Election before the briefs are filed. This is particularly true since the Regional Director is aware that there is no issue except an illegal and frivolous issue.

There is nothing in the rules that prohibits the Regional Director from issuing a decision before the filing of the briefs. The parties have a right to file a brief but nothing in the rules forecloses the Regional Director from evaluating the case in determining that the

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• Admitted in Hawaii  
◆ Also admitted in Nevada  
▼ Also admitted in Illinois  
▶ Also admitted in New York and  
Alaska  
◆ Also admitted in Minnesota  
▲ Admitted in Nevada and  
Washington  
▲ Also admitted in Idaho

briefs will be no value because the brief to be filed raises an issue which the Board is foreclosed from considering.

Under these circumstances, the Regional Director should issue an immediate decision or no later than on July 13, 2021 directing an immediate election. The Petitioner will waive any part of the 20 day time period after receipt of the voter list for the mailing of the ballots.

For these reasons, a Decision and Direction of Election should issue immediately or promptly after July 13, 2021 in the unit agreed to by the parties.

Organize!

A handwritten signature in blue ink that reads "David A. Rosenfeld". The signature is written in a cursive, flowing style.

David A. Rosenfeld

DAR:dmt/lda  
opeiu 29 afl-cio(1)

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UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 20

In the Matter of:

Mapbox, Inc.,

Employer,

and

Communications Workers of America, AFL-  
CIO,

Petitioner

Case No. 20-RC-278562

**MAPBOX, INC.'S POST-HEARING BRIEF**

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*Attorneys for Mapbox, Inc*

Mapbox, Inc. (“Mapbox” or the “Employer”)<sup>1</sup>, by and through its undersigned counsel and pursuant to the Hearing Officer’s instructions during the July 6, 2021 Notice of Representation Hearing (which was conducted over Zoom), hereby submits this post-hearing brief.

### **PRELIMINARY STATEMENT**

Over the last 16 months, COVID-19 has prompted innumerable changes in where and how Mapbox’s employees work. Not only have Mapbox’s employees been working remotely since March 2020, when the pandemic reached the United States (Mapbox July 9, 2021 Statement of Position (“SoP”) Ex. 1, Offer of Proof ¶ 12), but many employees have also relocated themselves and their families or are in the process of doing so now. Still others are taking their first vacations and time away from work since the start of the pandemic—a needed and welcome break after being subject to quarantine and isolation measures for well over a year.

It is against this backdrop of change and a once-in-a-century deadly pandemic that Mapbox’s employees will participate in a representation election this summer. From Mapbox’s perspective, what is most important is that all eligible voters have an opportunity to make a fully-informed choice about their futures and the future of the company and that no vote is suppressed. While the National Labor Relations Board (“NLRB” or the “Board”) has sometimes favored mail ballot elections during the pandemic,<sup>2</sup> quite simply, an election by mail will not do in this case because it will effectively disenfranchise voters. The Regional Director should instead authorize and oversee an electronic election.

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<sup>1</sup> Mapbox is a technology company that provides custom mapping and a location cloud platform for developers and enterprise customers globally.

<sup>2</sup> Press Release, NLRB, NLRB Establishes Standards for Mail-and Manual-Ballot Representation Elections During the COVID-19 Pandemic (Nov. 9, 2020), *available at* <https://www.nlr.gov/news-outreach/news-story/nlr-establishes-standards-for-mail-and-manual-ballot-representation>.

As a practical matter, Mapbox does not know with certainty where its employees are physically located on any given day (*id.* ¶ 12) or will be located during the election. That is because employees will continue to work remotely until at least October 2021 (*id.* ¶ 18), and July and August—when the election most likely will take place—are historically when most Mapbox employees take vacation, do mobile work, or move before the start of a new school year. *Id.* ¶ 15. Indeed, at least 186 U.S.-based employees will take paid time off in July, and 82 bargaining unit employees have already scheduled to be away from work in August to move, for mobile work, for vacation, or to visit family, including several who will be out of the country. *Id.* ¶ 17 & Attachment A. Mapbox believes these numbers will ultimately be even higher. *Id.* ¶ 16. This means many voters will not be at their homes during part or all of the election period to receive and return mail ballots. How are those people supposed to vote?

Mapbox also cannot confirm its employees' addresses or where mail ballots should be sent with enough certainty. Mapbox has not asked employees to update their addresses since January 2020. *Id.* ¶¶ 9-11, 14. There also have been reports of mass exoduses of people leaving the San Francisco and Washington, D.C. metropolitan areas (where Mapbox has its U.S. offices, *id.* ¶ 3) due to COVID-19, including a Mapbox employee who left California and now works and lives in a van while she travels the country. *Id.* ¶ 13.<sup>3</sup> These facts, compounded by the remote working environment, mean Mapbox has a good-faith belief that it does not have the current addresses of all members of the voting group. *Id.* ¶ 14.

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<sup>3</sup> See, e.g., SoP Ex. 2, *Exodus: Bay Area Migration Accelerated in Recent Months*, EAST BAY TIMES (last updated Mar. 5, 2021, at 3:43 p.m.); SoP Ex. 3, *Between Pandemic and Politics, Lots of People Who Never, Ever Wanted To Leave DC Are Moving Out*, WASHINGTONIAN (Nov. 11, 2020); SoP Ex. 4, *They Can't Leave the Bay Area Fast Enough*, N.Y. TIMES (last updated Jan. 17, 2021); SoP Ex. 5, *Sky-high California Rents Persuaded a Tech Worker To Live in Her \$25,000 Secondhand Van and Work Remotely from National Parks: Take a Look at Her New Nomadic Life*, BUS. INSIDER (June 26, 2021, at 3:00 a.m.) (profile of Mapbox employee who left California and now lives and works from her van).

There simply is only one way to ensure that eligible voters are not disenfranchised in this case: for the Regional Director to authorize an electronic ballot election. The Communications Workers of American AFL-CIO (“CWA”) did not request an electronic ballot election in its Responsive Statement of Position (instead, the CWA sought mail voting) but does not now oppose the Employer’s position on electronic ballots. Given that an electronic election will maximize turnout, Mapbox respectfully requests that the Regional Director use her discretion to authorize and oversee an electronic election.

### **ARGUMENT**

#### **I. The Regional Director Should Exercise Her Discretion To Order an Electronic Election so All Voters Have a Fair and Equal Opportunity To Cast Their Votes**

##### **A. An Electronic Election Will Maximize Voter Turnout in This Case, Thus Preventing Voters from Being Disenfranchised**

Congress entrusted the Board with wide discretion in “establishing the procedure and safeguards necessary to insure the fair and free choice of bargaining representatives by employees.” *NLRB v. A.J. Tower Co.*, 329 U.S. 324, 330 (1946). The Board, in turn, has delegated to the Regional Directors the discretion to determine the arrangement for an election, including details such as the location of the election and the type of election to be conducted. *See Halliburton Servs.*, 265 NLRB 1154 (1982); *National Van Lines*, 120 NLRB 1343, 1346 (1958) (“[C]ircumstances surrounding working conditions in various industries require an adaptation of established election standards to those peculiar conditions. Because of these circumstances, the Board has invested Regional Directors with broad discretion to determine the method by which elections shall be conducted.”). The Regional Directors should exercise their discretion to encourage maximum voter turnout and election security. *E.g., Nouveau Elevator Indus., Inc.*, 326 NLRB 470, 470-71 (1998) (denying appeal of Regional Director’s decision denying mail-in ballot

election in favor of a “manual ballot election[ which] would maximize turnout and afford all eligible voters an adequate opportunity to cast ballots”).

Here, the evidence is clear that many employees in the voting group will never receive their ballots, not have a fair and equal opportunity to cast their votes and have them returned in time to be counted, and will be disenfranchised if the election proceeds by mail as opposed to electronic balloting. It is well established that voter turnout in mail ballot elections is typically low “and [that] maximizing voter turnout is a legitimate objective in all elections.” *Id.* at 470. There’s no question that a mail ballot election will have the same result here. Many workers—including a Mapbox employee who was recently profiled in *Business Insider* (see SoP Ex. 5)—have moved from their places of residence or otherwise relocated over the last 16 months because of the pandemic. Traditional mail-in ballots will not reach them. Mapbox also believes many of its employees’ addresses of record are inaccurate and does not have a viable way of determining their current places of residence. SoP Ex. 1 ¶ 14. Nor is there certainty that employees whose on-file addresses *are* accurate will actually receive their ballots, since July and August are historically when most employees take vacations or relocate their families prior to the start of school in the fall. *Id.* ¶¶ 15-16. As a result, employees in the voting group may not be at home to receive mail ballots and will not be able to have their voices heard. See *Nouveau Elevator Indus., Inc.*, 326 NLRB at 470-71.

For these reasons, and to maximize employee participation in the election, Mapbox respectfully requests that the Regional Director exercise her discretion to order an electronic ballot election. Mapbox specifically requests that the Regional Director or her designee send electronic ballots to each unit member’s Mapbox e-mail address on Monday, August 9, 2021, and that ballots be received by the Regional office by no later than Monday, August 23, 2021, with the results

issued by Wednesday, August 25, 2021. All of the Board’s election rules would govern, and any post-election procedural matters, including challenges and objections, would be handled in accordance with the National Labor Relations Act (“NLRA”) rules and decided by an NLRB Hearing Officer—just as they would in any election overseen by the Board. This process will ensure that all unit members who *want* to participate in the election *can* participate in the election.

During the July 6<sup>th</sup> Hearing, the CWA stated that it takes the position that the election should proceed by a traditional mail ballot on the ground that Congress and the Board have not expressly authorized electronic voting. SoP. Ex. 6, Mapbox, Inc. Hr’g Tr. (July 6, 2021) at 10:10-13. But nothing in the NLRA or in the Board’s rules or precedent expressly prohibits the parties from conducting an electronic vote or the Board from overseeing one. To the contrary, the Regional Director has discretion to order an election procedure that maximizes voter participation (*see Nouveau Elevator Indus., Inc.*, 326 NLRB at 470-71)—which, in this case, unquestionably is to proceed with an electronic vote.

At the same time, even the CWA stated on the record at Hearing that electronic voting “works” and that “electronic voting makes sense; it’s a good way of doing it.” SoP Ex. 6 at 9:23-10:9, 10:18. Mapbox agrees. Given this agreement, and the Regional Director’s authority to exercise discretion over the conduct of elections, Mapbox respectfully requests that the Regional Director authorize an electronic ballot election.

**B. The Regional Director Should Exercise Discretion To Allow Both Parties To Communicate with Voters at Their Mapbox E-mail Addresses and Utilize Them in an Electronic Ballot Election**

During the July 6<sup>th</sup> Hearing, CWA requested the Board allow the CWA access to the voters’ Mapbox e-mail addresses “just like the company does” because the parties “should [have] equal access” to communicate with the voters. SoP Ex. 6 at 8:20-23. Mapbox agrees that it is important

that employees be fully informed about their options before they cast their votes, including about their futures and the future of the company.

Mapbox's employees also rightfully view their personally identifiable information ("PII") as confidential information. This includes their home addresses, cell or home phone numbers, and personal e-mail addresses—information requested by Section 5 of the Stipulated Election Agreement. As the Employer stated on the record on July 6<sup>th</sup>, the Employer is committed to protecting and not disclosing that PII, consistent with and out of respect for its employees' views. *Id.* at 7:7-17 (preserving objection to the portion of the Stipulated Election Agreement requiring the Employer to disclose employees' PII).

Fortunately, there is no need for Mapbox to disclose that PII because CWA and Mapbox agree the parties should be permitted to communicate with voters via their Mapbox e-mail addresses. The Employer therefore respectfully requests that the voters receive electronic election ballots at their Mapbox e-mail addresses and, in exchange, that the Regional Director permit the CWA to send pre-election communications to voters at those e-mail addresses as the CWA has requested. *Id.* 8:20-23. This will ensure that the parties have an equal opportunity to communicate with the voting group before voting begins while at the same time respect the privacy concerns of Mapbox's employees and avoid disclosure of their PII. Given the CWA's request to communicate via the Employer's e-mail and Mapbox's agreement to allow it, the parties have agreed to the mode of communication, and Mapbox asks that the Regional Director exercise her discretion over the conduct of elections to honor that agreement.

**II. In the Alternative, if the Regional Director Decides To Oversee a Mail Ballot Election, Ameliorative Measures Must Be Taken To Ensure Voters Are Not Disenfranchised**

If the Regional Director decides not to or believes that she lacks authority to order an electronic election, and without prejudice to the Employer's position that electronic voting is

otherwise mandated here, at the very least, ameliorative measures must be taken to ensure that all members of the Mapbox voting group have an equal opportunity to express their views and to vote if the election is conducted by mail. These measures should include, at a minimum, the following:

1. Well in advance of the date the ballots are mailed, the Regional Director or her designee would send an advance e-mail to each member of the voting group at their Mapbox e-mail address, copying the CWA's and Employer's legal representatives, to notify them that they will be receiving a ballot package in the mail at their address that is on file with Mapbox. The communication would advise that if an employee is not going to be at that address during part or all of the election period, they should immediately update their address and let the Regional Director know where the package should be sent, given how important it is that they have an opportunity to vote in this election.

2. Members of the voting group should also be given the option to have their ballots mailed to the Employer's San Francisco or Washington, D.C. offices, where they can collect them.

3. Voters should be given four or five weeks to return their mail ballots to the Region. In light of all of the problems with a mail ballot election and the likelihood that it will result in voter suppression in this case (*see supra* Preliminary Statement & Section I), the parties need to do everything they can to maximize the chance that employees have time to cast and return their votes. Four or five weeks increases the likelihood that employees can do that. For those employees who have filed forwarding information with the U.S. Postal Service but not yet updated their address with Mapbox, it also will improve the chances that ballots sent to the wrong addresses could be forwarded, received, and returned in time.



4. The Employer offers the following three scheduling options for the Region to consider for a mail ballot election to ensure that voters are not disenfranchised due to movement in July and August 2021. The options are listed below in order of the Employer's preference.

- i. Option 1: To allow employees to return from summer vacations, settle into new homes after relocating, and/or settle their children in school or childcare arrangements before voting commences, under Option 1, the voting process would start right after Labor Day when the greatest number of employees have returned to their homes. Ballots would be mailed on Tuesday, September 7, 2021, with a return deadline of Tuesday, October 5, 2021 (four weeks), and the results issued by Thursday, October 7, 2021.
- ii. Option 2: To allow employees to return from summer vacations, settle into new homes after relocating in August, and/or settle their children in school or childcare arrangements, under Option 2, ballots would be mailed on Monday, August 9, 2021, with a return deadline of Wednesday, September 15, 2021 (five weeks and two days), and the results issued by Friday, September 17, 2021.
- iii. Option 3: To allow employees the chance to vote during the height of vacation and moving season, ballots would be mailed on Monday, August 9, 2021, with a return deadline of Tuesday, September 7, 2021 (four weeks), and the results issued by Thursday, September 9, 2021.

5. If the Employer receives address updates from voters at any time before the cut-off date for the return of ballots, the Employer will notify the Region, and duplicate ballots will be sent out via Federal Express or any other overnight service. The Employer will reimburse the NLRB for such costs.

6. The Employer requests that the NLRB accept ballots enclosed in Federal Express or international express return envelopes. Mapbox would like to provide voters with express mailing labels to ensure that ballots are not delayed in the mail and that voters are not consequently disenfranchised.

\*\*\*

Notwithstanding the above-requested ameliorative measures for an election by mail, Mapbox maintains that in this case, a mail ballot election may effectively disenfranchise large numbers of voters who are working remotely due to COVID-19, are traveling, or have moved without notifying the Employer of their current addresses. *See generally* Preliminary Statement & Section I, *supra*. For that reason, electronic voting makes sense here and will maximize employee participation in the election and ensure that no vote is suppressed. SoP Ex. 6 at 10:7-9. That is and remains Mapbox's hope for this election.

### **CONCLUSION**

For all of the foregoing reasons, the Employer respectfully requests that the Regional Director exercise her discretion to order an electronic ballot election.

Dated: July 13, 2021

Respectfully submitted,

/s/ David S. Durham

David S. Durham

Christopher M. Foster

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*Attorneys for Mapbox, Inc.*

## PROOF OF SERVICE

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within cause. My business address is McDermott Will & Emery LLP, 415 Mission Street, Suite 5600, San Francisco, California 94105.

I served the below listed document(s) described as:

### Mapbox, Inc.'s Post-Hearing Brief



**BY ELECTRONIC SERVICE** By transmitting via e-mail or electronic transmission the document(s) listed above to the person(s) at the e-mail address(es) set forth above.

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I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on July 13, 2021 at San Francisco, California.



Henry Leung

STEWART WEINBERG  
DAVID A. ROSENFELD  
WILLIAM A. SOKOL  
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MATTHEW J. GAUGER  
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LISL R. SOTO  
JOLENE KRAMER  
ALEJANDRO DELGADO  
CAITLIN E. GRAY  
TIFFANY L. CRAIN  
XOCHITL A. LOPEZ

July 14, 2021

Regional Director  
National Labor Relations Board, Region 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

**Re: Mapbox, Inc.**  
**Case 20-RC-278562**

Dear Regional Director:

The Region should issue a decision immediately in this case. The employer's only argument is that the Region should not conduct a mail ballot but should do so electronically or delay the election. These are unlawful assertions and the Region should reject them forthwith so as not to delay the election. The Union reserves the right to file objections and/or unfair labor practices over the employer's unlawful positions in an effort to delay and avoid an election.

**OF COUNSEL**

ROBERTA D. PERKINS  
NINA FENDEL  
ROBERT E. SZYKOWNY  
ANDREA K. DON  
LORI K. AQUINO

Organized,



David A. Rosenfeld

DAR:dmt  
opeiu 29 afl-cio(1)

• Admitted in Hawaii  
◆ Also admitted in Nevada  
▼ Also admitted in Illinois  
▶ Also admitted in New York and  
Alaska  
◆ Also admitted in Minnesota  
▲ Admitted in Nevada and  
Washington  
▲ Also admitted in Idaho

**PROOF OF SERVICE  
(CCP §1013)**

I am a citizen of the United States and resident of the State of California. I am employed in the County of Alameda, State of California, in the office of a member of the bar of this Court, at whose direction the service was made. I am over the age of eighteen years and not a party to the within action.

On July 14, 2021, I served the following documents in the manner described below:

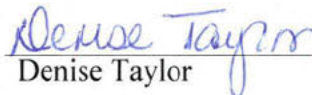
**LETTER OF JULY 14, 2021 TO NATIONAL LABOR RELATIONS BOARD, REGION 20**

- ☒ **BY ELECTRONIC SERVICE:** By electronically mailing a true and correct copy through Weinberg, Roger & Rosenfeld's electronic mail system from dtaylor@unioncounsel.net to the email addresses set forth below.

On the following part(ies) in this action:

David Durham  
McDermott Will & Emery LLP  
415 Mission Street, Suite 5600  
San Francisco, CA 94105  
Email: [ddurham@mwe.com](mailto:ddurham@mwe.com)

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on July 14, 2021, at Emeryville, California.

  
Denise Taylor



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156

July 26, 2021

Christopher M. Foster, ESQ.  
McDermott Will & Emery LLP  
415 Mission Street, Suite 5600  
San Francisco, CA 94105

David Durham, Esq.  
McDermott Will & Emery LLP  
415 Mission Street, Suite 5600  
San Francisco, CA 94105

Re: Mapbox, Inc.  
Case 20-RC-278562

Dear Mr. Foster, Mr. Durham:

This is to advise you that I have approved, with prejudice, the withdrawal of the petition in the above case. Any petition filed by Communications Workers of America, AFL-CIO within six months from this date that encompasses the same or substantially the same unit of employees as involved in this matter will not be entertained unless good cause is shown.

Very truly yours,

/s/ Dale Yashiki

DALE YASHIKI  
Acting Regional Director

cc: Melissa Nixon, VP, People  
Mapbox  
50 Beale Street Floor 9  
San Francisco, CA 94105

David A. Rosenfeld, ESQ.  
Weinberg, Roger & Rosenfeld  
1375 55th Street  
Emeryville, CA 94608

Wesley McEnany, Union Representative  
Communications Workers of America,  
AFL-CIO  
2804 Gateway Oaks Drive Suite 150  
Sacramento, CA 95833